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Monday, May 3, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 3, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:12 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 10.

Noted absent at first roll call:

Supervisor Maher - 1.

Quorum present.

Supervisor Maher was noted present at 2:18 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Shelley, moved that the Journals of Proceedings for Monday, September 28, and October 5, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

COMMUNICATION

The Clerk presented the following communication from his Honor, the Mayor, returning with his disapproval the Salary Standardization Ordinance:

1 35435 SFPL: JRS
82 SF 06/30/95 207-

"Honorable Board of Supervisors
Room 235 - City Hall
San Francisco, California 94102

Reference: File No. 106-93-1. (Salary Standardization Ordinance)

Dear Members:

File No. 106-93-1. (Salary Standardization Ordinance) is being returned to you with my veto.

As I previously stated, I cannot in good conscience support a salary increase for some 6,000 City workers in light of the worst fiscal crisis in San Francisco's history. Delicate labor negotiations are presently underway with various unions who represent other City workers, and are at a very critical state. To enact a salary increase for one segment of our workforce while asking the remainder to agree to a wage freeze is, in my view, patently unfair.

I was hopeful that your honorable Board would give my office the opportunity to complete negotiations with all unions before acting on this legislation. To delay the vote would merely have given us the time to do so. I cannot stress enough the severity of our City's budget crisis. Without the willingness of unions to agree to salary concession, our City is facing devastating results, not only for City workers, but for City services as well.

I have no recourse other than to return the Salary Standardization with my veto. I urge you to sustain this veto and direct the Civil Service Commission and the Employee Relations Division to continue the meet and confer process for at least 30 days, at which time the Board of Supervisors will be able to consider salary issues for the entire workforce.

Sincerely,

Frank M. Jordan"

Consideration Continued

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, Community College District and Unified School District, whose compensations are subject to the provisions of Section 8.400, Section 8.401, and Section 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1993. (Civil Service Commission)

File 106-93-1, Ordinance No.

The Clerk announced that under Board of Supervisors Rule 2.9a the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is read to the Board.

Supervisor Hallinan, seconded by Supervisor Shelley, moved to continue consideration to May 10, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

CONSENT CALENDAR

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $77,131, Department of Public Works, for program project budget (repair and demolition fund). (Controller)

File 101-92-62, Ordinance No.

Passed for second reading.

[Government Funding]
Ordinance appropriating $39,621,938, Airports Commission, for various capital improvement projects and rescinding $39,621,938 from various capital improvement projects. (Controller)

File 101-92-64, Ordinance No.

Passed for second reading.

[Government Funding]
Ordinance appropriating $7,051,304, Airports Commission, for various capital improvement projects and rescinding $6,021,425 from capital improvement project (Airfield Improvement) and $1,029,879 from the bond reserve payment. (Controller)

File 101-92-65, Ordinance No.

Passed for second reading.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Lynn Barfield against the City and County of San Francisco, by payment of $30,250. (City Attorney)

File 45-93-18, Ordinance No. 126-93

(Superior Court No. 924-461)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Bertha Chapa against the City and County of San Francisco, by payment of $10,000. (City Attorney)

File 45-93-19, Ordinance No. 127-93

(Superior Court No. 934-358)

Finally passed.

[Housing Code]
Ordinance amending Housing Code, to authorize the Bureau of Building Inspection to inspect an apartment house or hotel less frequently than once a year if the apartment house or hotel has an established record of compliance with code requirements. (Supervisor Kaufman)

File 125-93-2, Ordinance No. 129-93

(Amends Section 302)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of City and County of San Francisco against Alexander Metlenko and Helen F. Metlenko by accepting consideration in the total amount of $10,000 payable in cash and discharging said persons above-named from further liability. (Tax Collector)

File 166-93-2.1, Ordinance No. 128-93

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Refused Passage for Second Reading as Amended

(Supervisor Hsieh dissenting in Committee.)

[Fire Protection Assessment District]
((Ordinance amending Public Works Code, to authorize the Board of Supervisors to initiate proceedings to establish a Fire Protection Assessment District and to levy annual fire protection assessments.)) (Supervisor Migden)

[Fire District Procedure Code]
Ordinance amending Public Works Code, a procedural ordinance under which the Board of Supervisors could initiate proceedings that would result in establishing a Fire Protection Assessment District and levying a annual fire protection assessment.

File 123-93-3, Ordinance No.

(Adds a new Article 6.2, Sections 251.001 through ((251.087)) 251.089.)

Supervisor Kaufman, seconded by Supervisor Migden, moved to amend to indicate if the Board of Supervisors decides to vote for the district in August and if it does not pass, the legislation becomes null and void so that it is not available next year and the following year (adds Section 250.088 Sunset Clause).

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 10.

Noes: Supervisor Maher - 1.

Supervisor Kaufman, seconded by Supervisor Migden, moved to amend to indicate if the Board of Supervisors vote to go forward in August that it be for one year only (adds Section 250.089 Limitation on Duration of District).

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 10.

Noes: Supervisor Maher - 1.

Supervisor Migden, seconded by Supervisor Kaufman, moved to amend title to read, "Ordinance amending Public Works Code, a procedural ordinance under which the Board of Supervisors could initiate proceedings that would result in establishing a Fire Protection Assessment District and levying a annual fire protection assessment."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Refused passage for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Bierman, Kaufman, Kennedy, Migden - 5.

Noes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Maher, Shelley - 6.

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading

[Campaign Statement Filing]
Ordinance amending Administrative Code to require candidates and political committees to file copies of their campaign statements on computer diskette. (Supervisors Achtenberg, Bierman, Hallinan, Shelley, Alioto)

File 97-93-4, Ordinance No.

(Adds Sections 16.535 through 16.539.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Noes: Supervisors Kennedy, Maher - 2.

Absent: Supervisor Conroy - 1.

Recommendations of Rules Committee

Rereferred to Committee

[Appointment]
Resolution appointing members to the newly established Lead Hazard Reduction Citizens Advisory Committee; making findings waiving residency requirements. (Rules Committee)

File 92-93-3.1, Resolution No.

(Heather Lea Heppner (affordable housing);
Ted Gullicksen (tenant representative);
Emily McFarland (tenant representative);
Gen Fujioka (tenant representative);
Robert Mengarelli (painting contractor);
Tim Carrico (residential owner);
Vince Malta (residential owner);
Mitch Fine (financial expert);
James D. Gilford (abatement expert);
Michael J. Kosnett, M.D. (physician);
Stephen C. Davis (testing expert);
Neil Gendel (public interest organization);
Don Lanier (Environmental Protection Agency);
Robert Y. Nakamura (CALOSHA);
Jack Breslin (Department of Public Health);
Ron Atkielski (Housing Authority)

Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to rerefer to Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

[Appointment]
Resolution appointing members to the Emergency Medical Care Committee; making findings waiving residency requirement. (Rules Committee)

File 92-93-15, Resolution No.

(Odelia Braun, M.D., San Francisco Medical Society, vice Robert Hemnick, M.D., term expired, for term ending June 30, 1995; Linda Wang, Community Mental Health Services, new position, for term expiring June 30, 1995)

Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

Adopted

[Rule Change]
Motion amending the Rules of Order of the Board of Supervisors in order to rename the Health and Public Safety Committee to the Health, Public Safety and Environment Committee. (Supervisors Shelley, Alioto)

File 56-93-3

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $32,440, Department of Public Works, for facilities maintenance project (Harriet Street sewer replacement) to cover ten percent overage as per Charter Section 7.203, providing for ratification of action previously taken. (Controller)

File 101-92-63, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

[Government Funding]
Ordinance appropriating $500,000, Registrar of Voters, for program project budget (Special Election Fund) for fiscal year 1992-93, placing $175,000 on reserve.

File 101-92-66, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Adopted

[Housing Revenue Bonds]
Resolution approving and authorizing the execution and delivery of a supplemental indenture relating to the City and County of San Francisco variable rate demand Multifamily Housing Revenue Bonds (Winterland Project) 1985 Series C; approving and ratifying previous actions; and approving and authorizing the execution and delivery of any document reasonably necessary to consummate the transactions contemplated by said supplemental indenture. (Mayor's Office of Housing)

File 170-93-5, Resolution No. 348-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Recommendations of Health and Public Safety Committee

Passed for Second Reading

[Replica Hypodermic Needles or Syringes]
Ordinance amending Police Code, prohibiting the sale or possession of replica hypodermic needles or syringes. (Supervisors Hsieh, Conroy, Shelley)

File 121-93-2, Ordinance No.

(Adds Article 41, Sections 4100, 4101, 4102 and 4103.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 9.

Absent: Supervisors Kennedy, Migden - 2.

Adopted

[HIV Youth Advisory Committee]
Resolution establishing the HIV Youth Advisory Committee to examine the issues affecting HIV infected and at risk young people and to submit recommendations to the Board of Supervisors. (Supervisors Alioto, Shelley, Bierman, Kaufman)

File 108-93-1, Resolution No. 347-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Economic Vitality and Social Policy Committee

Consideration Continued with Pending Amendment

[City Bond Financed Project Task Force]
Resolution creating a task force, appointed by the Board of Supervisors, that will study and make recommendations regarding ways of increasing the participation of disadvantaged local minority and women-owned businesses in projects financed by City bond funds. (Supervisors Kennedy, Alioto)

File 174-92-4, Resolution No.

Supervisor Hsieh, seconded by Supervisor Migden, moved to amend page one, line 5, after "Propositions" by deleting "A".

Supervisor Hsieh, seconded by Supervisor Migden, moved to continue consideration to May 10, 1993 with pending amendment.

Motion to continue with pending amendment adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Dehnert Queen;
Garr Tavai Fiatoa;
Doug Comstock.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-18, Resolution No. 344-93

(Lucille Abrahamson, member, Human Rights Commission, May 9 - 11; Marie K. Brooks, member, Airports Commission, May 7 - 16; Anthony D. Ribera, Chief of Police, May 4 - 5, 1993.)

Adopted.

[Fine Arts Museums Loan Agreement]
Resolution approving loan agreement between El Instituto Nacional De Antropologia E Historia of Mexico and Fine Arts Museums of San Francisco for Teotihuacan Exhibition at M.H. De Young Memorial Museum wherein the Fine Arts Museums agrees to submit to binding arbitration in the event of a dispute arising out of the loan agreement and to interpret the terms of the loan agreement under Mexican law. (Supervisors Conroy, Alioto)

File 172-93-17, Resolution No. 345-93

Adopted.

[Fine Arts Museums Loan Agreement]
Resolution approving loan agreement between Auckland City Art Gallery, Auckland, New Zealand and Fine Arts Museums of San Francisco wherein the Fine Arts Museums and Auckland City Art Gallery agree to submit to binding arbitration pursuant to New Zealand law in the event of a dispute arising out of the loan agreement. (Supervisors Conroy, Alioto)

File 172-93-18, Resolution No. 346-93

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]

Ordinance appropriating $120,000, Registrar of Voters, for program project budget (Special Election Fund). (Supervisor Migden presented.) Referred to Budget Committee with request it be considered at the May 5, 1993 meeting.

File 101-92-66.2

[Surplus Property]
Ordinance repealing Ordinance No. 100-93 which authorized and directed the sale of surplus city-owned property known as a portion of Water Department Parcel 55 located at Lake Merced Boulevard and John Muir Drive, which property is currently being leased to the Olympic Club. (Supervisor Hallinan presented.) Referred to Budget Committee.

File 96-93-1.1

[Property Tax Allocation]
Ordinance amending Administrative Code by adding Sections 10.7-2 through 10.7-2.3 to require the Controller to allocate property taxes collected in the City and County in accordance with the laws governing apportionment during fiscal year 1992-93. (Supervisor Shelley presented.) Referred to Budget Committee.

File 97-93-25

[Rent Fee]
Ordinance amending Administrative Code by amending Section 37A.2(d) to increase the Residential Rent Stabilization and Arbitration Fee from eight to ten dollars. (Supervisor Migden presented.) Referred to Budget Committee.

File 97-93-26

[Cafe Tables and Chairs]
Ordinance amending Public Works Code, Article 5.2, by deleting Sections 176 through 182 inclusive, by adding new Sections 176 through 185 thereto, authorizing the Director of the Department of Public Works to issue cafe tables and chairs permits; requiring owners or operators of business establishments seeking to occupy a portion of a public sidewalk, court, alley or street with cafe tables and chairs to obtain a cafe tables and chairs permit; authorizing the Director of the Department of Public Works to establish guidelines for cafe tables and chairs; requiring permit applicants to post notice of intent on the business premises; establishing process for protest and appeal of denial of permit; setting conditions and restrictions on permits; providing for suspension or revocation of permits; establishing penalties and remedies for failure to comply with said Article. (Supervisor Alioto presented.) Referred to Housing and Land Use Committee with request it be considered at the May 6, 1993 meeting.

File 123-93-1.

[Illegal Dumping Fine]
Substitute resolution urging the Municipal Court to increase the bail for illegal dumping of refuse from $30 to $300. (Supervisor Shelley presented.) Referred to Health and Public Safety Committee.

File 237-93-1

Referred to Board

[Proclamation]
Resolution commending Chancellor Julius R. Krevans, MD, on his retirement for his outstanding contribution to the people of the City and County of San Francisco for over two decades and urging his Honor, the Mayor, to declare May 19, 1993 as "Julius R. Krevans, MD Day" in San Francisco. (Supervisor Maher presented.) Referred to Board May 10, 1993 For Adoption Without Committee Reference Calendar.

File 4-93-18

Called from Committee

[Water Department]
Resolution urging the Mayor to urge the Public Utilities Commission to eliminate all of the temporary positions added to the Water Department for the drought. Called from Budget Committee by Supervisor Hallinan; scheduled for consideration by the Board on May 10, 1993.

File 188-93-2

Requests for Hearings:

File 207-93-5.2, By Supervisor Conroy: To consider the increase in crimes committed by youth. Referred to Health and Public Safety Committee.

File 207-93-18, By Supervisor Shelley: To consider the issues of public safety and enforcement, graffiti and litter problems and adequate youth activities in the Sunset District. Referred to Health and Public Safety Committee.

Motions

Referred to Board

[Needle Exchange]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto presented.) Referred to Board May 10, 1993 For Adoption Without Committee Reference Calendar.

File 30-93-5.4

[Closure of Park Station]
Request that Chief of Police appear before the Board of Supervisors to discuss the Police Department proposed closure of Park Station. (Supervisors Hallinan, Bierman, Alioto presented.) At the direction of the President, scheduled for consideration by the Board on May 10, 1993.

File 207-93-11

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-92-68. [Government Funding] Appropriating $117,947,912, Airports Commission, for various capital improvement projects and bond redemption and rescinding $5,581,450 from the bond reserve payment. RO #92219 (Controller) Budget

File 101-92-69. [Government Funding] Appropriating $200,000, Police Department, for overtime. RO #92221 (Controller) Budget

File 101-92-70. [Government Funding] Appropriating $377,859, Police Department, for Worker's Compensation. RO #92224 (Controller) Budget

File 101-92-71. [Government Funding] Appropriating $336,000, Police Department, for permanent salaries-miscellaneous and related mandatory fringe benefits. RO #92225 (Controller) Budget

File 101-92-72. [Government Funding] Appropriating $15,430,000, Department of Public Works, for various capital improvement projects (Fire Department and Fine Arts Museum). RO #92227 (Controller) Budget

File 101-92-73. [Government Funding] Appropriating and certifying $62,017, Department of Public Works, for capital improvement project to cover ten percent overage as per Charter Section 7.203, providing for ratification of action previously taken. RO #92228 (Controller) Budget

File 27-93-9. [Airport - Lease Modifications] Approving Modification No. 6 of Lease and Use Agreement between USAir, Inc., and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Government Efficiency and Labor Committee

File 47-93-3. [Commercial Lease Documents] Approving and adopting Polk-Bush Garage commercial lease legal documents and authorization for lease agreement. (Real Estate Department) Government Efficiency and Labor

File 97-93-23. [Parking and Traffic] Amending Administrative Code by adding Section 1.41. thereof, relating to hold harmless agreements between the Department of Parking and Traffic and governmental agencies for receipt of transportation grant funds. (Department of Parking and Traffic) Government Efficiency and Labor

Resolutions Referred to Committee

File 146-93-10.1. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of $356,000, from the Centers for Disease Control to continue funding the AIDS Early Intervention Network Project through the Comprehensive Aids Resources Emergency (CARE Title III) Disaster Relief Grant; waiving indirect costs and providing ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 146-93-16. [Grant - State Funds] Authorizing the Department of Public Health, Community Public Health Services, to apply for a grant of $150,000, which includes indirect costs in the amount of $12,993 based on ten percent of salaries from the California Department of Health Services, Health Promotion Section, for health education, risk reduction services. (Department of Public Health) Government Efficiency and Labor

File 146-93-17. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $500,000, which includes indirect costs based on twenty percent of personnel costs, from the Centers for Disease Control to continue funding the Evaluation of HIV/AIDS Prevention Street and Community Outreach Programs that serve youth in high risk situations project (also known as the Youth SCOPE/AESOP Project). (Department of Public Health) Government Efficiency and Labor

File 148-93-3. [Grant - State Funds] Authorizing the Department of Public Works to apply for, accept and expend retroactively, grant funding in the amount of $3,510 from the United States Department of Agriculture through California Department of Forestry and Fire Protection, for providing direct costs to hire staff assistant for the Public Works' Citizens Tree Advisory Board; and waiving indirect costs. (Department of Public Works) Government Efficiency and Labor

File 148-93-4. [Grant - State Funds] Authorizing the Department of Public Works to apply for, accept and expend retroactively, grant funding in the amount of $228,800 from the Federal Highway Administration through California Department of Transportation, for providing direct costs in the landscape Enhancement for Mass Transportation Facilities Project; and waiving indirect costs. (Department of Public Works) Government Efficiency and Labor

File 172-93-19. [Real Property License Agreements] Authorizing execution of certain real property license agreements necessary to monitor and minimize potential construction effects of the Muni Metro Turnback Project of the private buildings along the east side of Steuart Street between Mission and Howard Streets, located on Assessor's Block 3715, Lots 1, 2, 3, 4, 5, 6, 7 and 13. (Real Estate Department). Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that City Attorney draft ordinance amending Administrative Code which would establish an Annual Transit Impact Fee and provide for annual adjustment in the fee schedule consistent with the cost of operation and maintenance of peak period public transit service affecting the downtown area.

By Supervisor Conroy, that letter be sent to Director of Public Works inquiring about the feasibility of either increasing the frequency of litter collection or adding additional receptacles on Chestnut, between Fillmore and Divisadero Streets.

By Supervisor Conroy, that letter of inquiry be sent to all Department Heads to determine their policies regarding compensatory time off and the amounts of compensatory time which is accrued, where applicable, for each member of the department.

By Supervisor Conroy, that letter be sent to Southern Pacific Railway inquiring about the hazardous conditions which currently exist at the train tracks at 1200 Quinn Street and further inquire of any plans to improve the safety of these train tracks.

By Supervisor Conroy, that letter be sent to Southern Pacific Railway inquiring about the hazardous conditions which currently exist at the train tracks at the intersection of Jerrold Avenue at Rankin Street and further inquire of any plans to improve the safety of these train tracks.

By Supervisor Conroy, that letter of inquiry be sent to General Manager, Recreation and Park Department, to determine the status of the jet plane at Larsen Park on 19th Avenue.

By Supervisor Conroy, that City Attorney draft ordinance limiting retirement contributions paid to outside consultants and their employees (on contracted out services) to those comparable to the City's contributions for its employees.

By Supervisor Conroy, that City Attorney review the False Claims Act to determine its applicability to overbilling by outside consultant in the Clean Water Program which provides three times the damages and a $10,000 fine.

By Supervisor Hsieh, that letter be sent to the Controller requesting the amount the City spent during the 1991-92 and 1992-93 fiscal years on travel expenditures and information on the current procedures used by the City to acquire airline tickets, lodging and car rentals.

By Supervisor Shelley, that letter of inquiry be sent to Chief of Police concerning status of requests made by the Visitacion Valley Neighborhood Association as follows: enforcement activities at hot spots that have been identified in Visitacion Valley including 1100 block of Girard, 711 convenience store on Raymond and the Club House bar in Little Hollywood; enforcement of traffic regulations in the areas of Wilde/Tioga Avenues, along Sunnydale and Velasco Avenues and Honda patrols for McLaren Park.

By Supervisor Shelley, that letter of inquiry be sent to Director of Parking and Traffic to determine what enforcement activities are being carried out in the Visitacion Valley neighborhood concerning parking on sidewalks and cars parked illegally during Candlestick Park and Cow Palace events.

By Supervisor Shelley, that letter of inquiry be sent to General Manager, Public Utilities, to determine whether survey on street lighting needs have been or will be done in the Visitacion Valley neighborhood.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Julio Gallo (Supervisor Alioto)
Jesse Ward Neal, Sr. (Supervisor Kennedy)
Billy Love (Supervisor Kennedy)

File 2-93-18

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:07 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 4, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, May 10, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 10, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Noted absent at first roll call:

Supervisors Achtenberg, Conroy, Maher, Shelley - 4.

Quorum present.

Supervisor Achtenberg excused. (See infra.)

Supervisor Conroy was noted present at 2:09 p.m.

Supervisor Maher was noted present at 2:08 p.m.

Supervisor Shelley was noted present at 2:12 p.m.

Supervisor Achtenberg Excused

The Clerk announced that Supervisor Achtenberg requested to be excused from attending today's meeting.

Supervisor Maher, seconded by Supervisor Kennedy, moved to excuse Supervisor Achtenberg from attending today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden - 9.

Absent: Supervisors Achtenberg, Shelley - 2.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Migden, moved that the Journals of Proceedings for Tuesday, October 13, and Monday, October 19, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden - 9.

Absent: Supervisors Achtenberg, Shelley - 2.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Government Funding]
Ordinance appropriating $77,131, Department of Public Works, for program project budget (repair and demolition fund). (Controller)

File 101-92-62, Ordinance No. 132-93

Finally passed.

[Government Funding]
Ordinance appropriating $32,440, Department of Public Works, for facilities maintenance project (Harriet Street sewer replacement) to cover ten percent overage as per Charter Section 7.203, providing for ratification of action previously taken. (Controller)

File 101-92-63, Ordinance No. 133-93

Finally passed.

[Government Funding]
Ordinance appropriating $39,621,938, Airports Commission, for various capital improvement projects and rescinding $39,621,938 from various capital improvement projects. (Controller)

File 101-92-64, Ordinance No. 134-93

Finally passed.

[Government Funding]
Ordinance appropriating $7,051,304, Airports Commission, for various capital improvement projects and rescinding $6,021,425 from capital improvement project (Airfield Improvement) and $1,029,879 from the bond reserve payment. (Controller)

File 101-92-65, Ordinance No. 135-93

Finally passed.

[Government Funding]
Ordinance appropriating $500,000, Registrar of Voters, for program project budget (Special Election Fund) for fiscal year 1992-93, placing $175,000 on reserve.

File 101-92-66, Ordinance No. 130-93

Finally passed.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $120,000, Registrar of Voters, for program project budget (Special Election Fund), for fiscal year 1992-93. (Supervisor Migden)

File 101-92-66.2, Ordinance No.

Passed for second reading.

[Government Funding]
Ordinance appropriating $975,000 for fees and other compensation and rescinding $155,000 from fees and other compensation, Superior Court for fiscal year 1992-93. (Supervisors Migden, Alioto)

File 101-92-67, Ordinance No.

Passed for second reading.

Adopted

[Gift of Funds]
Resolution approving a gift of funds from the Department of Parking and Traffic to the Names Project. (Supervisors Migden, Alioto)

File 190-93-2, Resolution No. 363-93

Adopted.

[Fee Increase]
Resolution approving the California Academy of Sciences admission fee increases with respect to buildings under its control. (Supervisor Migden)

File 209-93-1, Resolution No. 365-93

Adopted.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Lawsuit]
Ordinance authorizing CCP Section 998 offer of settlement of litigation of Kai Ali and Kevin Smith against City and County, et al by payment of $30,000. (Supervisor Hallinan)

File 45-93-20, Ordinance No.

(Superior Court No. 941-911.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of appellate attorneys' fees litigation in Stone, et al., v. City and County, et al. by payment of $133,282. (Supervisor Hallinan)

File 45-93-21, Ordinance No.

(United States Court of Appeal No. 91-16927.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Mary Hobdy against the City and County, by payment of $75,000. (Supervisor Hallinan)

File 45-93-22, Ordinance No.

(Superior Court No. 934-909.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Stella Santos, et al., v. William G. Lai, et al., upon receipt of $15,000 and dismissal of complaint. (City Attorney)

File 46-93-6, Ordinance No.

(Superior Court No. 939-731.)

Passed for second reading.

Adopted

[Contracting Out City Services]
Resolution concurring with the Controller's certification that legal process server services can be practically performed for the District Attorney, Family Support Bureau by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney)

File 25-93-2, Resolution No. 355-93

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for a grant of $150,000, which includes indirect costs in the amount of $12,993 based on ten percent of salaries from the California Department of Health Services, Health Promotion Section, for health education, risk reduction services. (Department of Public Health)

File 146-93-16, Resolution No. 354-93

Adopted.

Recommendation of Health and Public Safety Committee

Finally Passed

[Replica Hypodermic Needles or Syringes]
Ordinance amending Police Code, prohibiting the sale or possession of replica hypodermic needles or syringes. (Supervisors Hsieh, Conroy, Shelley)

File 121-93-2, Ordinance No. 136-93

(Adds Article 41, Sections 4100, 4101, 4102 and 4103.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden - 9.

Absent: Supervisors Achtenberg, Shelley - 2.

REGULAR CALENDAR
UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Consideration Continued

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, Community College District and Unified School District, whose compensations are subject to the provisions of Section 8.400, Section 8.401, and Section 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1993. (Civil Service Commission)

File 106-93-1, Ordinance No.

(April 26, 1993 - Finally passed.
April 30, 1993 - Returned disapproved by Mayor.)

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to continue consideration to May 17, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Recommendation of Economic Vitality and Social Policy Committee

Adopted as Amended

[City Bond Financed Project Task Force]
Resolution creating a task force, appointed by the Board of Supervisors, that will study and make recommendations regarding ways of increasing the participation of disadvantaged local minority and women-owned businesses in projects financed by City bond funds. (Supervisors Kennedy, Alioto)

File 174-92-4, Resolution No. 362-93

(May 3, 1993 - Consideration continued to May 10, 1993 with pending amendment to amend page one, line five, by deleting "A".

The roll was called on the pending amendment and it was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Campaign Statement Filing]
Ordinance amending Administrative Code to require candidates and political committees to file copies of their campaign statements on computer diskette. (Supervisors Achtenberg, Bierman, Hallinan, Shelley, Alioto)

File 97-93-4, Ordinance No. 131-93

(Adds Sections 16.535 through 16.539.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Noes: Supervisors Kennedy, Maher - 2.

Absent: Supervisor Achtenberg - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $15,204,533, Fire Department, for various capital improvement projects, for fiscal year 1992-93; placing $10,788,125 on reserve. (Controller)

File 101-92-60, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Passed for Second as Amended

[Environmental Review Fees]
Ordinance amending Administrative Code, to increase fees, add new fees and extend the operative date through 1995 concerning environmental impact reports and negative declarations to be operative January 1, 1996 concerning fees for environmental review procedures. (Supervisor Hsieh)

File 97-93-21, Ordinance No.

(Amends Section 31.46A, Section 31.46.)

Supervisor Hsieh, seconded by Supervisor Maher, moved to amend page seven, lines 9 through 11, by replacing "as set forth in Municipal Code Part III, Section 8 (Method of Appeal to the Board of Permit Appeals) for a declaration of indigency" with "when the appellant's income is not enough to pay the fee without affecting their abilities to pay for the necessities of life".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Passed for Second Reading

[Fee Surcharge]
Ordinance amending Administrative Code, concerning the surcharge to recover costs for acquiring office space at 1660 Mission Street, for section numbers to conform to new legislation. (Supervisor Hsieh)

File 97-93-22, Ordinance No.

(Amends Chapter 10F.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Passed for Second Reading as Amended

[Planning Fees]
Ordinance amending City Planning Code, to reorganize the article, impose new fees, change the amount of fees currently charged relating to Department of City Planning actions, activities and services and extend the operative date through 1995 and to be operative January 1, 1996 concerning planning code fees. (Supervisor Hsieh)

File 115-93-4, Ordinance No.

(Repeals existing Article 3.5A;
Enacts new Article 3.5A and amends Article 3.5.)

Supervisor Hsieh, seconded by Supervisor Kennedy, moved to amend page 23, lines 13 through 16, by replacing "as set forth in Municipal Code Part III, Section 8 (Method of Appeal to the Board of Permit Appeals) for a declaration of indigence" with "when the requestor's income is not enough to pay the fee without affecting their abilities to pay for the necessities of life"; amend page 28, line four, by replacing "$400" with "$75".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted as Amended

[Mayor's Earthquake Emergency Relief Fund Expenditure]
Resolution approving expenditure of (($198,973)) $198,793 from the Mayor's Earthquake Emergency Relief Fund to modernize certain equipment assigned to the Office of Emergency Services (OES), and to equip the Emergency Command Center (ECC) of the City and County. (Mayor's Office of Emergency Services)

File 270-93-3, Resolution No. 366-93

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to amend title, line two, and line 22, by replacing "$198,973" with "198,793".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport - Lease Modifications]
Ordinance approving Modification No. 4 of Lease and Use Agreement between Alaska Airlines, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-93-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Airport - Lease Modifications]
Ordinance approving modification No. 5 of Lease and Use Agreement between Northwest Airlines, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-93-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Airport - Service Contract]
Ordinance approving the "Foreign Currency Exchanges Lease" between Tele-Trip Company, Inc.; and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-93-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Lease of General Clinical Research Space]
Ordinance authorizing and approving retroactive to October 1, 1992, lease of a portion of the Third Floor of Building 100 and Fifth Floor of the New Hospital at San Francisco General Hospital to the Regents of the University of California. (Real Estate Department)

File 65-93-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[San Francisco County Fair/Flower Show]
Ordinance approving an agreement to conduct the San Francisco County Fair/Flower Show for the years 1994, 1995 and 1996 in the San Francisco County Fair Building and Grounds located in Golden Gate Park, San Francisco, California. (Recreation and Park Department)

File 86-93-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Hold Harmless Agreements]
Ordinance amending Administrative Code, regarding hold harmless agreements with licensees, permittees, and others at the San Francisco Convention Facilities pertaining to compliance with the Americans with Disabilities Act and requiring approval of the Chief Administrative Officer and the City Attorney for any modification thereto. (Chief Administrative Officer)

File 97-93-19, Ordinance No.

(Adds Section 1.25-7.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Representation of Police Department in Certain Organizations]
Ordinance amending the Administrative Code, permitting representation of the Police Department in certain organizations. (Police Commission)

File 97-93-20, Ordinance No.

(Adds Section 16.6-47-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted

[Acceptance of Gift]
Resolution authorizing retroactively the City Librarian to accept a gift from the Library Foundation of San Francisco in the amount of $480,000 to establish a resource collection for learning differences at the San Francisco Public Library. (Public Library)

File 38-93-5, Resolution No. 356-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Sublease, Property]
Resolution authorizing the Mayor, acting through the Mayor's Office of Housing, to enter into exclusive negotiations for the sublease of the Polytechnic High School Gymnasiums to the Inner Sunset Haight Ashbury Polytechnic Coalition (ISHA-POLY) for development as community centers. (Supervisor Bierman)

File 64-93-6, Resolution No. 357-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Lease of Real Property]
Resolution authorizing retroactively renewal lease of real property at 45 Leland Avenue for the Visitacion Branch Library. (Real Estate Department)

File 64-93-7, Resolution No. 358-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Grant - Federal and State Funds]
Resolution authorizing the Executive Director of the Department of Parking and Traffic to accept and expend grant funds for a consultant study to evaluate replacement alternatives for the Central Freeway, foregoing reimbursement of indirect costs; placing $200,000 on reserve. (Department of Parking and Traffic)

File 192-93-5, Resolution No. 364-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted as Amended

Motion ((urging)) informing the Mayor ((to consider requesting)) of the willingness of the Board of Supervisors to conduct the public hearing required by Health and Safety Code Section 33115 with regard to the Bill of Charges pending before the Mayor in the matter of Ben L. Hom, President, San Francisco Redevelopment Agency. (Supervisor Hallinan)

File 161-93-4

Supervisor Bierman, seconded by Supervisor Kaufman, moved to amend title, line five, to read "Informing the Mayor of the willingness of the Board of Supervisors"; amend line 22 by replacing "urges" with "informs" and line 23 by replacing "to consider requesting" with "of the willingness of".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Noes: Supervisor Conroy - 1.

Absent: Supervisor Achtenberg - 1.

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution appointing member to the Mission Bay Hazardous Material Investigation and Remediation Program (HMIRP) Citizens Advisory Committee for term to be determined by lot at the first meeting. (Rules Committee)

File 92-92-34.2, Resolution No. 359-93

(Diane Nygoard, adjacent neighborhood association.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Bierman - 2.

[Appointment]
Resolution confirming Mayor's appointment to the San Francisco Redevelopment Agency, for term to expire September 3, 1996. (Mayor)

File 33-93-3, Resolution No. 351-93

(Jon Henry Kouba, vice Buck Bagot, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Bierman - 2.

[Appointment]
Resolution nominating member for appointment by the Mayor to the

Citizens Advisory Committee on Elections, for new four-year term ending May 16, 1997. (Rules Committee)

File 92-93-19, Resolution No. 360-93

(George Mix, Jr., vice self, term expiring May 16, 1993.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Bierman - 2.

Recommendation of Economic Vitality and Social Policy Committee

Adopted

[Task Force on Local Employment]
Resolution establishing a Task Force on Local Employment Opportunities to examine and report upon the crises in employment opportunities facing San Francisco, particularly for residents under 25 years of age, and to submit a report of its findings and recommendations to the Board of Supervisors by November 5, 1993. (Supervisor Alioto)

File 174-93-2, Resolution No. 361-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Bierman - 2.

From the President

Consideration Continued

Report by Chief of Police on proposed closure of Park Station. (Supervisors Hallinan, Bierman, Alioto)

File 207-93-11

Supervisor Hallinan, seconded by Supervisor Conroy, moved to continue consideration to May 17, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Lantos;
H. S. Little;
Ace Washington;
Garr Tavai Fiatoa;
Concerned resident;
Louise Vaughn;
Margaret Verges;
Ms. Boyle;
Doug Comstock.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Proclamation]
Resolution commending Chancellor Julius R. Krevans, MD, on his retirement for his outstanding contribution to the people of the City and County of San Francisco for over two decades and urging his Honor, the Mayor, to declare May 19, 1993 as "Julius R. Krevans, MD Day" in San Francisco. (Supervisors Maher, Kennedy, Alioto, Kaufman, Hallinan, Bierman, Conroy, Achtenberg, Hsieh, Migden)

File 4-93-18, Resolution No. 354-93

(May 3, 1993 - Introduced in Board for consideration on May 10, 1993.)

Adopted.

[Needle Exchange]
Motion concurring in the determination of the Mayor for the continued need for a declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto)

File 30-93-5.4

(May 3, 1993 - Introduced in Board for consideration on May 10, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Hsieh, Migden - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-19, Resolution No. 349-93

(Roberta Achtenberg, member, Board of Supervisors, May 10 - 14; Sue Bierman, member, Board of Supervisors, June 4 - 13; Bill Maher, member, Board of Supervisors, June 1; Lucille Abrahamson, member, Human Rights Commission, May 9 - 11; Peter Ashe, member, Retirement Board, May 16 - 19; Lu Blazej, Director of Planning, April 30 - May 5; Mary I. Callanan, Treasurer, April 19 - 23; Barbara Cameron, member, Commission on the Status of Women, April 21 - 23; Rand Castile, Director, Asian Art Museum, May 6 - 10, May 21 - 24, May 26 - June 1, June 2 - 7; Debra Chasnoff, member, Film and Video Arts Commission, April 19 - 26; Marilyn Chow, member, Social Services Commission, April 28 - May 6, May 10 - 12 Mitchell V. Davies, member, War Memorial Board of Trustees, May 8 - 14; Bella Farrow, member, Recreation and Park Commission, May 1 - 6; Robert H. Feldman, Executive Director, Board of Permit Appeals, April 22 - May 3; Virginia Gee, member, Library Commission, April 15 - 20; Mrs. Walter A. Haas, Jr., member, War Memorial Board of Trustees, April 25 - May 1; Anne Halsted, member, Port Commission, May 7 - 12; James Herman, member, Port Commission, May 5 - 7; Thomas E. Horn, President, War Memorial Board of Trustees, May 29 - June 14; L. Andrew Jeanpierre, member, Airports Commission, May 1 - 7; Fred E. Jordan, Jr., Chief Probation Officer, May 7 - 10; Frederick E. Jordan, Vice President, Parking and Traffic Commission, May 5 - 17; Willis Kirk, member, Art Commission, April 19 - 26, April 28 - May 1, May 4 - 9, June 1 - 7; Shepard Kopp, member, Library Commission, June 3 - September 30; Jeanette Lazam, member, Human Rights Commission, April 23 - 28; Alice Lowe, Chairman, Asian Art Commission, May 12 - 30; J. Stanley Mattison, Vice President,

Airports Commission, April 24 - 28; H. Daniel McFarland, General Manager, Department of Electricity, June 8 - 11; Jane Morrison, Vice President, Social Services Commission, May 3 - 17, June 9 - 14; Harry S. Parker, III, Director, Fine Arts Museums, April 27 - 29; Raymond del Portillo, member, Commission on the Aging, April 30 - May 9; Louise Renne, City Attorney, May 7 - 9; Dodie Rosekrans, member, Art Commission, May 31 - June 9; Arlo Smith, District Attorney, May 23 - 24; Roselyne C. Swig, member, Library Commission, April 24 - 29; Joanne Chow Winship, Director of Cultural Affairs, Art Commission, June 5 - 8, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Street Closing]
Resolution authorizing temporary closing of a portion of Maiden Lane, between Kearny and Stockton Streets, beginning on Thursday, May 27, 1993, through Sunday, May 30, 1993, daily from 9:00 a.m. to 6:00 p.m. for Annual Spring Arts Festival.

File 42-93-18, Resolution No. 350-93

Supervisor Hsieh presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Hsieh, Migden - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Public Meetings and Records]
Substitute ordinance amending Administrative Code by adding Chapter 66 to provide greater public access to city records and to meetings of city boards, commissions and committees and by deleting Sections 16.5 and 16.5.1 relating to public meetings and establishing a task force on the implementation of the San Francisco Sunshine

Ordinance. (Supervisors Achtenberg, Bierman, Hallinan, Shelley, Alioto presented.) Referred to Rules Committee.

File 97-93-6

[Graffiti Reward Fund]
Ordinance amending Administrative Code by adding Sections 10.179-1 and 10.179-2 establishing a financial reward for information leading to the arrest and conviction of any person who unlawfully applies graffiti to public or private property. (Supervisor Conroy presented.) Referred to Budget Committee.

File 97-93-27

[Use of City Vehicles]
Draft ordinance amending Administrative Code by amending Section 4.11 to delete the requirement that the Purchaser of Supplies assign vehicles to individual officers and employees and instead to authorize the department head to assign vehicles upon written justification from the individual officer or employee requesting the vehicle; to allow an exception to the prohibition against employees of the City and County using city vehicles for transportation to and from the employee's residence for any employee who is on call for work after his or her normal workday, for forensic pathologists employed by the Office of the Medical Examiner/Coroner using city vehicles for transportation in order to investigate death scenes before and after normal work hours, requiring the Medical Examiner/Coroner to keep records, and requiring said records to be open to inspection by the Mayor and the Board of Supervisors; and to allow employees to garage City vehicles at their places of residence during non-work hours. (Supervisor Hallinan presented.) Referred to Government Efficiency and Labor Committee.

File 97-93-28

[Contractor Selection]
Draft ordinance amending Administrative Code by adding Section 21.54 to require that all purchases of contractual services made by the various departments, boards and commissions of the City and County comply with the rules and regulations for contractor selection and contract administration procedures established by the Purchaser for personal services contracts and to authorize the Purchaser to disapprove personal services contracts with contractors who have not been selected according to the rules and regulations prescribed by the Purchaser. (Supervisor Shelley presented.) Referred to Government Efficiency and Labor Committee.

File 97-93-29

[Lateral Force Exception]
Ordinance amending Building Code by amending Section 104 to except from the lateral force requirements apartment houses containing

low-density professional, non-retail uses existing on or before April 13, 1987 and located in a neighborhood commercial zoning district. (Supervisor Alioto presented.) Referred to Housing and Land Use Committee.

File 114-93-6

[Low Density Professional, non-Retail Uses]
Ordinance amending City Planning Code by amending Section 179 to provide that low-density professional, non-retail uses established in the Sacramento Street Neighborhood Commercial District prior to the effective date of Ordinance No. 69-87 will be deemed to be a permitted use if specified requirements are met, and adopting findings pursuant to Section 101.1 of the City Planning Code. (Supervisor Alioto presented.) Referred to Economic Vitality and Social Policy Committee.

File 115-93-3

[Display of Spray Paint and Markers]
Ordinance amending Police Code by enacting Article 42, Sections 4200 and 4201 regulating the sale of aerosol paint and marker pens and making it unlawful to sell aerosol paint or marker pens in violation of these requirements. (Supervisor Conroy presented.) Referred to Health, Public Safety and Environment Committee.

File 121-93-6

[Cabarets]
Ordinance amending Police Code by amending Section 1070.16 to permit persons over 18 to enter, be, or remain in premises that are operated as cabarets but that do not have liquor licenses. (Supervisors Hallinan, Alioto presented.) Referred to Health, Public Safety and Environment Committee.

File 121-93-7

[Sidewalk Cafes]
Ordinance amending Public Works Code by deleting Sections 176 through 182 and by adding new Sections 176 and 177 eliminating the requirement that an owner or operator of a business establishment obtain a permit in order to occupy any portion of the public sidewalk or roadway with tables and chairs; removing from the Director of Public Works the authority to issue permits for the placement of tables and chairs in the public sidewalk or roadway in front of business establishments; eliminating all fees required to be paid for permits to place tables and chairs in the public sidewalk or roadway; removing from the Director of Public Works the authority to suspend or revoke permits to place tables and chairs; eliminating the availability of appeal to the Board of Permit Appeals for denial of a permit; establishing the conditions and restrictions for the maintenance of tables and chairs in front of

business establishments; authorizing the Department of Public Works to establish guidelines for the placement of tables and chairs in the public sidewalk; authorizing the Department of Public Works to enforce minimum guidelines for the placement of tables and chairs; establishing penalties for failure to comply with said guidelines; authorizing the Department of Public Works to seize tables and chairs in the public sidewalk or roadway posing an immediate and serious danger to persons or property. (Supervisor Maher presented.) Referred to Housing and Land Use Committee.

File 123-93-4

[Gun Control]
Resolution endorsing the Brady Bill, which would establish a national five business day waiting period for handgun purchases and require local law enforcement officials to conduct a background check on all handgun purchasers. (Supervisor Shelley presented.) Referred to Health, Public Safety and Environment Committee.

File 13-93-16

[Grant - State Funds]
Resolution authorizing the Chief Administrative Officer to apply for, retroactively, $1,285,475 from the Transportation Fund for clean air in the Bay Area for programs and projects to reduce air pollution from motor vehicles; waiving indirect costs. (Supervisor Migden presented.) Referred to Government Efficiency and Labor Committee.

File 133-93-1

Referred to Board

[Advisory Task Force on Homelessness]
Resolution amending Resolution No. 685-92 that established the Advisory Task Force on Homelessness by authorizing a designee of a member of the Board of Supervisors and extending the expiration date of the task force to December 30, 1995. (Supervisor Kennedy presented.) Referred to Board May 17, 1993 For Adoption Without Committee Reference Calendar.

File 174-93-6

Referred to Committee

[Enforce and Expand "Don't Block the Box"]
Resolution urging the Mayor to urge the Parking and Traffic Commission to enforce and expand the "Don't Block the Box Program". (Supervisor Maher presented.) Referred to Housing and Land Use Committee with request it be considered at the May 20, 1993 meeting.

File 190-93-3

[Metered Yellow Zone, Downtown Core]
Resolution urging the Mayor to urge the Parking and Traffic Commission to expand metered yellow zones in the Downtown Core to Van Ness and South of Market and to urge the Parking and Traffic Commission and the Police Commission vigorously to cite non-commercial vehicles illegally parked in yellow zones as well as commercial vehicles parked illegally in yellow zones all day. (Supervisor Maher presented.) Referred to Housing and Land Use Committee with request it be considered at the May 20, 1993 meeting.

File 190-93-4

[Manual Traffic Control]
Resolution declaring the policy of the City and County that it is essential to San Francisco's transit plan to have manual traffic control in the City's busiest intersections in the Downtown Core of the City during periods of peak evening traffic. (Supervisor Maher presented.) Referred to Housing and Land Use Committee with request it be considered at the May 20, 1993 meeting.

File 190-93-5

[Manual Traffic Control Staff]
Resolution urging the Mayor to urge the Parking and Traffic Commission to take all steps necessary to hire twenty-four to thirty-six additional parking control officers whose primary function would be the control of traffic in heavily used intersections in the city during periods of peak evening traffic. (Supervisor Maher presented.) Referred to Housing and Land Use Committee with request it be considered at the May 20, 1993 meeting.

File 190-93-5.1

[Double Parking Bail, Increase to $100]
Resolution urging the Municipal Court to increase the bail for double parking violations from $43 and $50 to $100 and urging the Parking and Traffic Commission and the Police Commission to place a high priority on vigorously citing violators of double parking prohibitions, especially during periods of peak evening traffic. (Supervisor Maher presented.) Referred to Housing and Land Use Committee with request it be considered at the May 20, 1993 meeting.

File 237-93-2

[Ballot Measure]
Charter amendment (First Draft) amending Section 7.309 relating to financing construction or improvement of capital facilities or purchase of equipment. (Supervisor Hsieh presented.) Referred to Rules Committee.

File 240-93-1

[Ballot Measure]
Charter amendment (Rough Draft) amending Section 3.543 relating to Deputy Chiefs, Fire Department, to allow the Fire Chief to appoint two Deputy Chiefs from uniformed officers holding rank of Battalion Chief or Assistant Chief. (Supervisor Hsieh presented.) Referred to Rules Committee.

File 241-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 6.203 to require the mayor to transmit to the board of supervisors the proposed budget for the ensuing fiscal year by the first day of May of each year. (Supervisor Migden presented.) Referred to Rules Committee.

File 242-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 7.309 relating to the financing of the acquisition of equipment by increasing the obligations or evidence of indebtedness from $20 to $40 million. (Supervisor Shelley presented.) Referred to Rules Committee.

File 243-93-1

[Ballot Measure]
Charter amendment (Rough Draft) amending Section 3.670 relating to the composition of the Retirement Board of the City and County Employees' Retirement System by adding a retired person to the Board. (Supervisor Shelley presented.) Referred to Rules Committee.

File 245-93-1

Referred to Board

[Request]
Report by Registrar of Voters on the proposed cuts in the 1993-94 budget eliminating or restricting the availability of absentee ballots and budget cuts affecting access to polling places. (Supervisor Conroy presented.) At the direction of the President, scheduled for consideration by the Board on May 17, 1993.

File 100-93-7

Requests for Hearings:

File 30-93-9, By Supervisor Shelley: To consider the issue of electro magnetic fields and potential impacts to residents living near such fields. Referred to Health, Public Safety and Environment Committee.

File 97-93-30, By Supervisor Kennedy: To consider proposed changes in the General Assistance program to electronically fingerprint recipients. Referred to Economic Vitality and Social Policy Committee.

File 190-93-6, By Supervisor Kennedy: To consider traffic conditions on 1200 block of Monterey Boulevard, between Northgate and Westgate Drives. Referred to Economic Vitality and Social Policy Committee.

Motions:

Called from Committee

File 165-93-2 [Management Audit] Motion directing the Budget Analyst to conduct an independent and comprehensive management audit of the Department of Parking and Traffic. Called from Government Efficiency and Labor Committee by Supervisor Kennedy; scheduled for consideration by the Board on May 17, 1993.

File 165-93-3 [Management Audit] Motion directing the Budget Analyst to conduct an independent and comprehensive management audit of the Paramedic Division, Department of Public Health. Called from Government Efficiency and Labor Committee by Supervisor Kennedy; scheduled for consideration by the Board on May 17, 1993.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-92-74. [Government Funding] Appropriating $64,770,000, Department of Public Works, for various capital improvement projects. RO #92226 (Controller) Budget

File 101-92-75. [Government Funding] Appropriating $19,745, Sheriff Department, for services of other departments-Automotive Maintenance-Central Shops. RO #92247 (Controller) Budget

File 101-92-76. [Government Funding] Appropriating $173,000, Chief Administrative Officer, for various program project budget (City Attorney and Chief Administrative Officer). RO #92248 (Controller) Budget

File 101-92-77. [Government Funding] Appropriating $77,000, Chief Administrative Officer, for various program project budget (City Attorney and Chief Administrative Officer). RO #92250 (Controller) Budget

File 101-92-78. [Government Funding] Appropriating $230,000, Chief Administrative Officer, for various program project budget (City Attorney and Chief Administrative Officer). RO #92249 (Controller) Budget

File 101-92-79. [Government Funding] Appropriating $576,854, Water Department, for permanent salaries and mandatory fringe benefits and services of other departments-Light, Heat and Power and rescinding $576,854 from permanent salaries and related mandatory fringe benefits, for the creation of three positions and deletion of three positions. RO #92251 (Controller) Budget

File 101-92-80. [Government Funding] Rescinding $1,000,000 equity transfer to the General Fund and reappropriating to the Port Commission Operating Fund, for fiscal year 1992-93. RO #92220 (Controller) Budget

File 101-92-81. [Government Funding] Appropriating $1,604,362, Police Department, for capital improvement project. RO #92223 (Controller) Budget

File 101-92-82 [Government Funding] Appropriating $197,000, Chief Administrative Officer, for various purposes. RO #92255 (Controller) Budget

File 101-92-83 [Government Funding] Appropriating $1,438,506, Sheriff, for capital improvement project (Jail #3 Services Building). RO #92259 (Controller) Budget

File 101-92-84. [Government Funding] Appropriating and certifying $21,901, Department of Public Works, for various capital improvement projects to cover ten percent overage as per Charter Section 7.203, providing for ratification of action previously taken. RO #92260 (Controller) Budget

File 101-92-85. [Government Funding] Appropriating $17,500, Commission on the Status of Women, for program project budget (Sexual Harassment). RO #92261 (Controller) Budget

File 101-92-86. [Government Funding] Appropriating $64,744, Adult Probation, for professional services; providing for ratification of action previously taken. RO #92256 (Controller) Budget

File 45-93-19. [Settlement of Litigation] Authorizing settlement of litigation of Bertha Chapa against the City and County of San Francisco, by payment of $10,000. (City Attorney) Government Efficiency and Labor

File 45-93-23. [Settlement of Litigation] Authorizing settlement of litigation of Cynthia Y. Cantero v. Officer Willis Casey, and City and County of San Francisco, by payment of $12,000. (City Attorney) Government Efficiency and Labor

File 45-93-24. [Settlement of Litigation] Authorizing settlement of litigation of Bettina Heath against Juvenile Hall, Youth Guidance Center, Juvenile Court, City and County of San Francisco, James Sutro, and does I through XX, inclusive for $85,500. (City Attorney) Government Efficiency and Labor

File 45-93-25. [Settlement of Litigation] Authorizing settlement of litigation of Michael Quevillion against City and County of San Francisco, by payment of $13,500. (City Attorney) Government Efficiency and Labor

File 45-93-26. [Settlement of Litigation] Authorizing settlement of litigation of Great Western Savings in the sum of $1,896,468.51 (consisting of $1,364,203.00 in tax refunds and $532,265.51 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney) Government Efficiency and Labor

File 45-93-27. [Settlement of Litigation] Authorizing settlement of litigation of American Savings Bank, F.A. and New West Federal Savings and Loan Association in the sum of $2,391,273.73 (consisting of $1,904,677.15 in tax refunds and $486,596.58 in interest) to be paid in ten equal annual installments at seven percent per annum in interest and over the ten-year period. (City Attorney) Government Efficiency and Labor

File 45-93-28. [Settlement of Litigation] Authorizing settlement of litigation of Citibank, a Federal Savings Bank (formerly Citicorp Savings) in the sum of $1,177,285.16 (consisting of $941,661.88 in tax refunds and $235,623.28 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney) Government Efficiency and Labor

File 45-93-29. [Settlement of Litigation] Authorizing settlement of litigation of Southern California Federal Savings & Loan Association (formerly Southern California Savings and Loan Association) in the sum of $172,975.57 (consisting of $134,842.96 in tax refunds and $38,132.61 in interest) to be paid in four equal annual installments. (City Attorney) Government Efficiency and Labor

File 45-93-30. [Settlement of Litigation] Authorizing settlement of litigation of Glendale Federal Bank, a Federal Savings Bank (formerly Glendale Federal Savings and Loan Association) in the sum of $644,655.72 (consisting of $494,554.24 in tax refunds and $150,101.48 in interest) to be paid in four equal annual installments. (City Attorney) Government Efficiency and Labor

File 45-93-31. [Settlement of Litigation] Authorizing settlement of litigation of United Savings Bank, a Federal Savings Bank in the sum of $825,313.89 (consisting of $650,658.19 in tax refunds plus $174,655.70 in interest) to be paid in four equal annual installments. (City Attorney) Government Efficiency and Labor

File 45-93-32. [Settlement of Litigation] Authorizing settlement of litigation of United Savings Bank, a Federal Savings Bank, as successor in interest to Golden Coin Savings and Loan Association in the sum of $326,399.05 (consisting of $253,623.85 in tax refunds and $72,775.20 in interest) to be paid in four equal annual installments plus statutory interest. (City Attorney) Government Efficiency and Labor

File 45-93-33. [Settlement of Litigation] Authorizing settlement of litigation of Coast Federal Bank in the sum of $961,485.57 (consisting of $703,038.20 in tax refunds and $258,447.37 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney) Government Efficiency and Labor

File 45-93-34. [Settlement of Litigation] Authorizing settlement of litigation of California Federal Bank in the sum of $1,119,749.10 (consisting of $831,410.84 in tax refunds and $288,338.26 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney) Government Efficiency and Labor

File 45-93-35. [Settlement of Litigation] Authorizing settlement of litigation of San Francisco Federal Savings & Loan in the sum of $1,202,718.79 (including $948,933.00 in tax refunds and $253,785.79 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney) Government Efficiency and Labor

File 45-93-36. [Settlement of Litigation] Authorizing settlement of litigation of Home Savings of America, F.A. in the sum of $1,738,814.82 (consisting of $1,228,201.03 in tax refunds and $510,613.79 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney) Government Efficiency and Labor

File 45-93-37. [Settlement of Litigation] Authorizing settlement of litigation of 1st Nationwide Bank, a Federal Savings Bank (formerly 1st Nationwide Savings) in the sum of $3,149,870.70 (consisting of $2,565,609.75 in tax refunds and $584,260.95 in interest) to be paid in ten equal annual installments at seven percent per annum in interest over the ten-year period. (City Attorney) Government Efficiency and Labor

File 97-93-24. [Revolving Fund] Amending Administrative Code by amending Chapter 10, Article XV, Section 10.169 thereof to reduce San Francisco Port Commission Revolving Fund to $60,000. (Port) Budget

File 105-93-2. [Benefits for Fire Department Chief and Deputy Chief] Approving the provision of health benefits equal to those provided to Firefighters to Classifications 0140 Chief of Department and 0150 Deputy Chief conditional on the signing of waiver regarding the 1990-91 wage freeze. (Office of the Mayor's Employee Relations Division) Government Efficiency and Labor

File 105-93-3. [Benefits for Police Department Chief] Approving the provision of health benefits equal to those provided to Q2 Police Officers to Classification 0390 Police Chief conditional on the signing of waiver regarding the 1990-91 wage freeze. (Office of the Mayor's Employee Relations Division) Government Efficiency and Labor

Resolutions Referred to Committee

File 146-92-10.2. [Grant - State Funds] Authorizing the Department of Public Health, Community Public Health Services, to accept and expend an augmentation in the amount of $81,719, to an existing grant of $1,053,333 from the State Department of Health Services to provide for breast and cervical cancer screening and diagnostic services and a match in the amount of $29,014 which is thirty-three

percent of the direct cost to the residents of San Francisco; waiving indirect costs and providing for ratification of action already taken. (Department of Public Health) Government Efficiency and Labor

File 25-93-3. [Contracting Out City Services] Concurring with the Controller's certification that guard/security services can be practically performed at the Bureau of Water Pollution Control Plant by private contractor for lower cost than similar work services performed by City and County of San Francisco. (Department of Public Works) Government Efficiency and Labor

File 30-93-8. [Master Plan to Reduce Alcohol and Drug Use, Part I] Approving the San Francisco Master Plan; reducing the problems caused by alcohol and other drugs (Part I Needs Assessment Findings and Recommendations) for the term July 1, 1993 through June 30, 1996 as prepared by the Department of Public Health, Division of Mental Health and Substance Abuse Service for submission to the State of California, Department of Alcohol and Drug Programs; authorizing and directing the President of the Board to sign said plan. (Department of Public Health) Health and Public Safety

File 144-93-2. [Grant - Federal Funds] Authorizing the Executive Director of the Port of San Francisco to apply for retroactively, accept and expend $523,000 from the U.S. Department of Transportation through the California Transportation Commission to rehabilitate Pier 47A, Fisherman's Wharf, foregoing reimbursement of indirect costs. (Port) Government Efficiency and Labor

File 144-93-3. [Grant - Federal Funds] Authorizing the Executive Director of the Port of San Francisco to apply for retroactively, accept and expend $2,500,000 from the U.S. Department of Transportation through the California Transportation Commission to conduct planning and environmental studies for the renovation of the Ferry Building, foregoing reimbursement of indirect costs. (Port) Government Efficiency and Labor

File 144-93-4. [Grant - Federal Funds] Authorizing the Executive Director of the Port of San Francisco to apply for retroactively, accept and expend $2,723,184 from the California Transportation Commission and $480,000 from the Federal Highway Administration for Ferry Terminal Upgrade and providing for reimbursement of indirect costs to the Port. (Port) Government Efficiency and Labor

File 146-93-19. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Health Services, Department of Epidemiology and Disease Control, STD Control Division, to apply for, accept and expend a grant of $272,529, which includes indirect costs of $14,826 based on twenty percent of personnel salaries from the Centers for Disease Control for the provision of enhanced STD services. (Department of Public Health) Government Efficiency and Labor

File 146-93-20. [Grant - Federal Funds] Authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, Division of Tuberculosis Control, to accept and expend retroactively

a grant of $541,982, which includes indirect costs in the amount of $59,519, based on twenty percent of salaries from the Department of Health and Human Services, Centers for Disease Control, for Tuberculosis Control in San Francisco, providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 146-93-21. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Health Service, Department of Epidemiology and Disease Control, STD Control Division, to apply for, accept and expend a grant of $1,091,095, which includes indirect costs of $131,839, based on twenty percent of personnel salaries from the Centers for Disease Control, for provision of required STD services. (Department of Public Health) Government Efficiency and Labor

File 146-93-22. [Grant - State Funds] Authorizing the Department of Public Health, Division of Mental Health Services, to apply for, accept and expend a grant of $119,773 from the State Department of Rehabilitation, to enter into a cooperative program agreement and a case service contract, and a required match of $71,253, which is fifty-nine percent of the total award to provide vocational services; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 146-93-23. [Grant - State Funds] Authorizing the Department of Public Health, Community Public Health, Family Health Bureau, to accept and expend a grant augmentation of $41,516, which includes indirect costs in the amount of $13,513 based on ten percent of eligible salaries and a required match of $55,971, which is thirteen percent of the grant, from the State Department of Health, Maternal Child Health Branch for perinatal and related MCH services. (Department of Public Health) Government Efficiency and Labor

File 146-93-24. [Grant - State Funds] Authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to accept and expend a grant of $84,375, which includes indirect costs in the amount of $1,958 based on ten percent of salaries, from the State Department of Health Services, Maternal Child Health Branch for educational and support services for African American Pregnant and Postpartum Women and Their infants. (Department of Public Health) Government Efficiency and Labor

File 146-93-25. [Grant - State Funds] Authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to accept and expend a grant of $485,393, which includes indirect costs in the amount of $32,810 based on ten percent of allowable salaries, and a required match in the amount of $52,495, which is eleven percent of the total grant award, from the State Department of Health Services, Maternal Child Health Branch for erinatal, maternal and child health, and related services. (Department of Public Health) Government Efficiency and Labor

File 172-93-19.1. [Muni Metro Turnback] Approval of and authorization to execute license agreement with owners of seven (7)

buildings along Steuart Street between Mission and Howard Streets; companion measure to File 172-93-19. (Public Utilities Commission) Government Efficiency and Labor

File 172-93-20. [Muni Metro Turnback] Approving BART agreement and authorize Manager, Utilities Engineering Bureau, to execute same. (Public Utilities Commission) Government Efficiency and Labor

File 172-93-22. [Contract] Authorizing the Department of Social Services to enter into a contract with the State Department of Social Services in order to receive incentive payments for identifying and reporting third party health care coverage available to Medi-Cal beneficiaries for the period March 1, 1993 through June 30, 1995 and authorizing the department to retain any incentive payments earned for the purpose of enhancing the Department's Staff Development Programs; providing for ratification of action previously taken. (Department of Social Services) Government Efficiency and Labor

File 239-93-1. [Tax and Revenue Anticipation Notes] Approving and authorizing the borrowing of funds for fiscal year 1993-94 and the issuance and sale of City and County of San Francisco, California, 1993-94 Tax and Revenue Anticipation Notes therefor; approving official statement relating to such notes; authorizing the distribution of an official notice inviting bids in connection with the notes; authorizing public sale of such notes and authorizing other official actions in connection therewith. (Controller) Budget

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Conroy, that City Attorney draft legislation which would create an official Graffiti Advisory Board.

By Supervisor Conroy, that letter be sent to Chief of Police requesting response to prior communication dated February 24, 1993 inquiring how many citations have been issued under Police Code Sections 554 or 555 concerning sale of aerosol paint or permanent markers to minors, are these codes being enforced and what is the sanction and/or fine for the seller.

By Supervisor Conroy, that letters be sent to Chief of Police and Presiding Judge, Municipal Court, requesting response to prior communication dated February 24, 1993 inquiring how many graffiti violations have been cited last year, what are the procedures for handling these vandals, how many vandals are prosecuted, what is the punishment, what is the follow up procedure and what is the recidivism rate.

By Supervisor Conroy, that letter be sent to Chief of Police requesting report on the frequency of citations issued for unlawful drinking in public and the procedures employed to discourage such behavior.

By Supervisor Conroy, that letter of inquiry be sent to Chief of Police to determine what steps can be taken to increase police protection in Merced Manor.

By Supervisor Hallinan, that City Attorney prepare ordinance amending Police Code Section 1036.31(2) to allow mechanical amusement devices in buildings with mixed residential and commercial use.

By Supervisor Hallinan, that City Attorney prepare ordinance whereby the Board of Supervisors would declare itself to be the Redevelopment Agency of the City and County of San Francisco and dissolve the current Redevelopment Agency, pursuant to Health and Safety Code Section 33200.

By Supervisor Hsieh, that letter be sent to Director of Public Works requesting the eucalyptus tree at 17 Lansdale Avenue be trimmed.

By Supervisor Kaufman, that letter of inquiry be sent to General Manager, Public Utilities, to determine the feasibility of locating a trolley stop at the corners of 17th and Noe Streets.

By Supervisor Kaufman, that City Attorney prepare ordinance which would authorize the Assessment Appeals Board to charge a filing fee for assessment appeals and to establish a fee structure.

By Supervisor Shelley, that letters be sent to his Honor, the Mayor, Chief Administrative Officer and Director of Real Estate, inquiring as to the feasibility of leasing space in Hallidie Plaza to a private vendor in exchange for an agreement to maintain the Plaza.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Everette Denman (Supervisor Alioto)
Frank "Apples" Kudelka (Supervisor Alioto)
John Frances Furioso (Supervisor Alioto)
Jeff Sage (Supervisor Shelley)

File 2-93-19

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:27 p.m. adjourned.

Monday, May 10, 1993

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 4, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 88 No. 20

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Monday, May 17, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 17, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Migden - 7.

Noted absent at first roll call:

Supervisors Achtenberg, Hsieh, Maher, Shelley - 4.

Quorum present.

Supervisor Achtenberg excused. (See infra.)

Supervisor Hsieh excused. (See infra.)

Supervisor Maher was noted present at 2:12 p.m.

Supervisor Shelley was noted present at 2:13 p.m.

Supervisor Achtenberg Excused

The Clerk announced that Supervisor Achtenberg requested to be excused from attending today's meeting.

Supervisor Kennedy, seconded by Supervisor Migden, moved to excuse Supervisor Achtenberg from attending today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden - 8.

Absent: Supervisors Achtenberg, Hsieh, Shelley - 3.

Supervisor Hsieh Excused

The Clerk announced that Supervisor Hsieh is ill today and requested to be excused from attendance.

Supervisor Kennedy, seconded by Supervisor Migden, moved to excuse Supervisor Hsieh from attending today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden - 8.

Absent: Supervisors Achtenberg, Hsieh, Shelley - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Conroy, moved that the Journals of Proceedings for Monday, October 26, November 2 and November 9, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden - 8.

Absent: Supervisors Achtenberg, Hsieh, Shelley - 3.

Presentation of Guests

Supervisor Hallinan introduced a delegation from San Antonio, Texas, members of Fuerza Unida, and presented the fourteen women with commendations for their display of courage, fortitude and principle in organizing labor to combat a lockout, as follows:

Petra Mata;
Viola Casares;
Irene Reyna;
Tina Mendoza;
Delfina Ibarra;
Frances Estrello;
Rosa Salas;
Rosa Casas;
Nellie Casas;
Corolina Martinez;
Maria Garcia;
Carmelita Prieto;
Wes Hare;
Maria Isabel Flores.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Kennedy requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Budget Committee

Consideration Continued

[Government Funding]
Ordinance appropriating $117,947,912, Airports Commission, for various capital improvement projects and bond redemption and rescinding $5,581,450 from the bond reserve payment, for fiscal year 1992-93. (Controller)

File 101-92-68, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Migden, moved to continue consideration to May 24, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

Request Granted

Supervisor Kennedy requested that representative from the Airport appear next week in connection with the above item.

No objection and Clerk directed to notify department.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Government Funding]
Ordinance appropriating $15,204,533, Fire Department, for various capital improvement projects, for fiscal year 1992-93; placing $10,788,125 on reserve. (Controller)

File 101-92-60, Ordinance No. 151-93

Finally passed.

[Government Funding]
Ordinance appropriating $120,000, Registrar of Voters, for program project budget (Special Election Fund), for fiscal year 1992-93. (Supervisor Migden)

File 101-92-66.2, Ordinance No. 152-93

Finally passed.

[Government Funding]
Ordinance appropriating $975,000 for fees and other compensation and rescinding $155,000 from fees and other compensation, Superior Court for fiscal year 1992-93. (Supervisors Migden, Alioto)

File 101-92-67, Ordinance No. 137-93

Finally passed.

[Fee Surcharge]
Ordinance amending Administrative Code, concerning the surcharge to recover costs for acquiring office space at 1660 Mission Street, for section numbers to conform to new legislation. (Supervisor Hsieh)

File 97-93-22, Ordinance No. 150-93

(Amends Chapter 10F.1.)

Finally passed.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $200,000, Police Department, for overtime, for fiscal year 1992-93. (Controller)

File 101-92-69, Ordinance No.

Passed for second reading.

[Government Funding]
Ordinance appropriating $377,859, Police Department, for Workers' Compensation, for fiscal year 1992-93. (Controller)

File 101-92-70, Ordinance No.

Passed for second reading.

[Government Funding]
Ordinance appropriating $336,000, Police Department, for permanent salaries-miscellaneous and related mandatory fringe benefits, for fiscal year 1992-93. (Controller)

File 101-92-71, Ordinance No.

Passed for second reading.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport - Lease Modifications]
Ordinance approving Modification No. 4 of Lease and Use Agreement between Alaska Airlines, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-93-6, Ordinance No. 138-93

Finally passed.

[Airport - Lease Modifications]
Ordinance approving modification No. 5 of Lease and Use Agreement between Northwest Airlines, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-93-7, Ordinance No. 139-93

Finally passed.

[Airport - Service Contract]
Ordinance approving the "Foreign Currency Exchanges Lease" between Tele-Trip Company, Inc.; and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-93-8, Ordinance No. 140-93

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing CCP Section 998 Offer of settlement of litigation of Kai Ali and Kevin Smith against City and County, et al by payment of $30,000. (Supervisor Hallinan)

File 45-93-20, Ordinance No. 141-93

(Superior Court No. 941911.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of appellate attorneys' fees litigation in Stone, et al., v. City and County, et al. by payment of $133,282. (Supervisor Hallinan).

File 45-93-21, Ordinance No. 142-93

(United States Court of Appeal No. 91-16927.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Mary Hobdy against the City and County, by payment of $75,000. (Supervisor Hallinan)

File 45-93-22, Ordinance No. 143-93

(Superior Court No. 934909.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Stella Santos, et al., v. William G. Lai, et al., upon receipt of $15,000 and dismissal of complaint. (City Attorney)

File 46-93-6, Ordinance No. 144-93

(Superior Court No. 939731.)

Finally passed.

[Lease of General Clinical Research Space]
Ordinance authorizing and approving retroactive to October 1, 1992, lease of a portion of the third floor of Building 100 and fifth floor of the new hospital at San Francisco General Hospital to the Regents of the University of California. (Real Estate Department)

File 65-93-4, Ordinance No. 145-93

Finally passed.

[San Francisco County Fair/Flower Show]
Ordinance approving an agreement to conduct the San Francisco County Fair/Flower Show for the years 1994, 1995 and 1996 in the San Francisco County Fair Building and Grounds located in Golden Gate Park, San Francisco, California. (Recreation and Park Department)

File 86-93-1, Ordinance No. 146-93

Finally passed.

[Hold Harmless Agreements]
Ordinance amending Administrative Code, regarding hold harmless agreements with licensees, permittees, and others at the San Francisco Convention Facilities pertaining to compliance with the Americans with Disabilities Act and requiring approval of the Chief Administrative Officer and the City Attorney for any modification thereto. (Chief Administrative Officer)

File 97-93-19, Ordinance No. 147-93

(Adds Section 1.25-7.)

Finally passed.

[Representation of Police Department in Certain Organizations]
Ordinance amending the Administrative Code, permitting representation of the Police Department in certain organizations. (Police Commission)

File 97-93-20, Ordinance No. 148-93

(Adds Section 16.6-47-1.)

Finally passed.

Recommendations of Housing and Land Use Committee

Adopted

[Traffic Regulations]
Resolution enacting traffic regulations on Lucky Street. (Housing and land Use Committee)

File 20-93-3.1, Resolution No. 371-93

(Tow-Away, No Stopping Any Time - Establish
Lucky Street, west side, from 26th Street to 20 feet northerly (20 foot zone).
Lucky Street, west side, from 59 feet to 151.5 feet north of 26th Street (92.5 foot zone).
Lucky Street, west side, from 171.5 feet to 404 feet north of 26th Street (232.5 foot zone).
Lucky Street, west side, from 25th Street to 25 feet southerly (25 foot zone).

Adopted.

[Parking of Vehicles]
Resolution extending the boundaries of Residential Permit Parking Area "G" in the Pacific Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-93-2, Resolution No. 372-93

Adopted.

[Parking of Vehicles]
Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-93-3, Resolution No. 373-93

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Hsieh, Maher - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Consideration Continued

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, Community College District and Unified School District, whose compensations are subject to the provisions of Section 8.400, Section 8.401, and Section 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1993. (Civil Service Commission)

File 106-93-1, Ordinance No.

(April 26, 1993 - Finally passed.
April 30, 1993 - Returned disapproved by Mayor.
May 10, 1993 - Consideration continued to May 17, 1993.)

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue consideration to May 24, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

Recommendations of Budget Committee

Finally Passed

[Environmental Review Fees]
Ordinance amending Administrative Code, to increase fees, add new fees and extend the operative date through 1995 concerning environmental impact reports and negative declarations to be operative January 1, 1996 concerning fees for environmental review procedures. (Supervisor Hsieh)

File 97-93-21, Ordinance No. 149-93

(Amends Section 31.46A, Section 31.46.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

[Planning Fees]
Ordinance amending City Planning Code, to reorganize the article, impose new fees, change the amount of fees currently charged relating to Department of City Planning actions, activities and services and extend the operative date through 1995 and to be operative January 1, 1996 concerning planning code fees. (Supervisor Hsieh)

File 115-93-4, Ordinance No. 153-93

(Repeals existing Article 3.5A;
Enacts new Article 3.5A and amends Article 3.5.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

From the President

Report Received

Report by Chief of Police on proposed closure of Park Station. (Supervisors Hallinan, Bierman, Alioto)

File 207-93-11

Chief Anthony Rivera appeared and gave his report.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $15,430,000, Department of Public Works, for various capital improvement projects (Fire Department and Fine Arts Museum); placing $8,053,400 on reserve. (Controller)

File 101-92-72, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

[Government Funding]
Ordinance appropriating and certifying $62,017, Department of Public Works, for capital improvement project to cover ten percent overage as per Charter Section 7.203, providing for ratification of action previously taken for fiscal year 1992-93. (Controller)

File 101-92-73, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

Passed for Second Reading as Amended

[Lease Amendment]
Ordinance approving a lease amendment entered into between the City and County and the San Francisco 49ers, which would change the formula by which concession revenues are allocated to the City and the 49ers. (Supervisor Alioto)

File 62-93-2, Ordinance No.

Supervisors Alioto, Kennedy, seconded by Supervisor Hallinan, moved to amend page one, line five, after "49ers" by inserting "contingent upon the Recreation and Park Commission approving an amendment to paragraph 2 of the Eighth Amendment that would provide that the terms of paragraph 2 are subject to further negotiation should either party so desire after January 1, 2001"; amend page one, line 13, after "approved" by inserting "contingent upon the Recreation and Park Commission approving an amendment to paragraph 2 of the Eighth Amendment to the Stadium Lease that would provide that the terms of paragraph 2 are subject to further negotiation should either party so desire after January 1, 2001".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Hsieh, Migden - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Hsieh, Migden - 3.

Passed for Second Reading

[Property Tax Allocation]
Ordinance amending Administrative Code, to require the Controller to allocate property taxes collected in the City and County in accordance with the laws governing apportionment during fiscal year 1992-93. (Supervisor Shelley)

File 97-93-25, Ordinance No.

(Adds Sections 10.7-2 through 10.7-2.3.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

[Building Code]
Ordinance amending Building Code, governing boiler inspection. (Supervisor Kennedy)

File 114-93-3, Ordinance No.

(Adds new Section 328.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

[Building Code]
Ordinance amending Building Code, to provide new fees commensurate with new code Section 328 of the Building Code governing boiler inspection; companion measure to File 114-93-3. (Supervisor Kennedy)

File 114-93-4, Ordinance No.

(Amends Section 3304.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

[Stadium Operator Admission Tax]
Ordinance amending Part III, Municipal Code, increasing the rate of the stadium admission tax from 50 cents to $1.50 on tickets sold at $25.02 or more. (Supervisor Alioto)

File 127-93-1, Ordinance No.

(Amends Section 802.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

Recommendations of Economic Vitality and Social Policy Committee

Passed for Second Reading

[Places of Entertainment]
Ordinance amending Police Code, relating to permit and fee requirements for places offering informal entertainment. (Supervisors Alioto, Bierman, Hallinan, Kaufman)

File 121-93-3, Ordinance No.

(Amends Sections 1060 and 1060.22.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

Adopted

[Cafe Arts Month]
Resolution declaring November 1993 to be Cafe Arts Month in San Francisco and urging the Convention and Visitors Bureau to advertise internationally this unique event in recognition of the valuable role played by cafe artists in San Francisco. (Supervisors Shelley, Alioto)

File 4-93-15, Resolution No. 370-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[Police Department]
Resolution urging the Mayor to urge the Police Department to reinstate the Juvenile Division of the Police Department. (Supervisors Conroy, Alioto)

File 207-93-5.1, Resolution No. 375-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

In connection with above item, Supervisor Alioto requested to be added as co-sponsor.

Recommendations of Housing and Land Use Committee

Passed for Second Reading as Amended

[Rent Ordinance]
Ordinance amending Administrative Code, to provide that petitions for capital improvements, rehabilitation and energy conservation measures must be filed no later than five years after the work has been completed, to limit the amount hearing officers may refund to tenants for null and void rent increase, to limit the amount tenants may recover in civil actions for null and void rent increases and to change the title of Executive Secretary to Executive Director. (Residential Rent Stabilization and Arbitration Board)

File 109-93-1, Ordinance No.

(Amends Sections 37.4, 37.7, 37.8 and 37.11A.)

Supervisor Migden, seconded by Supervisor Bierman, moved to amend page 14, line 15, after "decision." by adding the sentence "In any case, calculation of rent overpayments and re-setting of the lawful base rent shall be based on a determination of the validity of all rent increases imposed since April 1, 1982, in accordance with Sections 37.3(b)(5) and 37.3(a)(2) above."; amend page 17, line 21, after "order." by adding the sentence "In any case, calculation of rent overpayments and re-setting of the lawful base rent shall be based on a determination of the validity of all rent increases imposed since April 1, 1982, in accordance with Sections 37.3(b)(5) and 37.3(a)(2) above."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

Consideration Continued

[Parking and Traffic]
Ordinance amending Traffic Code, relating to the denomination of coins and length of parking time allowed at parking meters. (Supervisor Shelley)

File 124-93-3, Ordinance No.

(Amends Section 203.)

Supervisor Shelley, seconded by Supervisor Maher, moved to continue consideration to May 24, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

Called from Government Efficiency and Labor Committee by Supervisor Kennedy

Adopted

[Management Audit]
Motion directing the Budget Analyst to conduct an independent and comprehensive management audit of the Department of Parking and Traffic. (Supervisor Kennedy)

File 165-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

[Management Audit]
Motion directing the Budget Analyst to conduct an independent and comprehensive management audit of the Paramedic Division, Department of Public Health. (Supervisor Kennedy)

File 165-93-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

From the President

Filed

Report by Registrar of Voters on the proposed cuts in the 1993-94 budget eliminating or restricting the availability of absentee ballots and budget cuts affecting access to polling places. (Supervisor Conroy)

File 100-93-7

Supervisor Conroy requested this item be filed as the subject will be taken up in committee.

No objection and above matter filed.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing of persons interested in or objecting to the appointment of John E. Cribbs, Director of Public Works, to serve as Road Commissioner for the City and County of San Francisco, and repealing Ordinance No. 23-88.

File 92-93-17

The President inquired if there was anyone present desiring to speak on this item.

There being no response, the President declared the hearing closed.

Recommendation of Rules Committee

Passed for Second Reading

[Appointment of Road Commissioner]
Ordinance appointing John E. Cribbs, Director of Public Works, to serve as Road Commissioner for the City and County of San Francisco, and repealing Ordinance No. 23-88. (Chief Administrative Officer)

File 92-93-17, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

COMMITTEE REPORTS

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Patricia Vaughey;

John Doe
Lizabeth Bivens;
Karen Victor;
Louise Vaughn;
Dehnert Queen;
Margaret Verges;
Shelley Salieri;
Jane Doe;
R. J. Hampton;
Paul Boden.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Advisory Task Force on Homelessness]
Resolution amending Resolution No. 685-92 that established the Advisory Task Force on Homelessness by authorizing a designee of a member of the Board of Supervisors and extending the expiration date of the task force to December 30, 1995. (Supervisor Kennedy)

File 174-93-6, Resolution No. 374-93

(May 10, 1993 - Introduced in Board for consideration on May 17, 1993.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Shelley - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Kennedy requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Adopted as Amended

[Grant - Federal Funds]
Resolution authorizing the Recreation and Park Department to retroactively apply for grant funds in an amount of $724,000 from the Intermodal Surface Transportation Efficiency Act for the Beach Chalet restoration Phase I Project 1; waiving indirect costs.

File 150-93-2, Resolution No. 367-93

Supervisor Hsieh presented for immediate adoption.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to amend title, page one, line 3, after "Efficiency" by inserting "Act"; amend page one, lines 21 and 22 to read: Approves retroactively the filing of an application for grant funds of $724,000 from Intermodal Surface Transportation Efficiency Act."; amend page one, lines 23 and 24 by deleting entire section 2; amend page one, line 25 by replacing "3" with "2"; amend page two, line two, by deleting "completion of the aforementioned project" and inserting "submission of the application".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Shelley - 5.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Shelley - 5.

The Board thereupon resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-20, Resolution No. 376-93

(Roberta Achtenberg, member, Board of Supervisors, May 17 - 21; Bill Maher, member, Board of Supervisors, May 24 - June 6; Gloria Davis, member, Human Rights Commission, May 13 - 19; Marie K. Brooks, May 16 - 24; Edward Harrington, Controller, May 28 - June 1; Francis O'Neill, member, Port, May 19 - 26, 1993.)

Adopted.

[Parcel Map - Condominium Project]
Resolution approving parcel map of 335-337 Fell Street, being a merger and resubdivision of Lots 20A, 21, 27, 28 and 30, in Assessor's Block 832, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Maher, Bierman)

File 58-93-8, Resolution No. 352-93

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Shelley - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Coffeehouses]
Ordinance amending Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) by amending Section 790.102 to add a new Subsection 790.102(n) to add coffeehouses to the sales and services, other retail category in neighborhood commercial districts; adopting findings pursuant to City Planning Code Section

101.1. (Supervisor Conroy presented.) Committee assignment to be determined by the President at a later date.

File 115-93-5

[Lead Hazard Reduction Advisory Committee]
Ordinance amending Part II, Chapter V of the San Francisco Municipal Code (Health Code) by amending Section 1608, to add two additional members to the lead hazard reduction citizens advisory committee. (Supervisor Bierman presented.) Referred to Health, Public Safety and Environment Committee.

File 118-93-4

[Utility User Tax Amendments]
Ordinance amending Article 10 of the San Francisco Municipal Code (Part III) by amending Sections 707.2 and 707.3 to delete the sunset provisions of these sections, which were adopted in July, 1992 to increase the tax rate to six and one half percent and to extend the telephone users tax to interstate and international telephone communication services for the period from August, 1992 to June, 1993. (Supervisor Migden presented.) Referred to Budget Committee.

File 127-93-5

Referred to Board

[Zoning Map Amendment]
Resolution extending through and including July 1, 1993, the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors to amend the zoning map for properties generally described as Assessor's Block 2696, Lots 31, 33, 34 and 35 from RH-3 to Castro Street Neighborhood Commercial District; and to adopt findings pursuant to City Planning Code Section 101.1. (Supervisor Achtenberg presented.) Referred to Board May 24, 1993 For Adoption Without Committee Reference Calendar.

File 36-92-5.2

[Zoning Map Amendment]
Resolution extending through and including July 1, 1993, the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors to amend the zoning map for properties generally described as Assessor's Block 2696, Lots 31 and 32 from RH-3 to NC-1 (19th Street and Collingwood); and to adopt findings pursuant to City Planning Code Section 101.1. (Supervisor Achtenberg presented.) Referred to Board May 24, 1993 For Adoption Without Committee Reference Calendar.

File 36-92-6.2

[Making Waves Day]
Resolution declaring June 21, 1993, Making Waves San Francisco Music Day. (Supervisor Shelley presented.) Referred to Board May 24, 1993 For Adoption Without Committee Reference Calendar.

File 4-93-19

[Commendation]
Resolution honoring Sanford Chandler upon his retirement from George Washington High School. (Supervisor Shelley presented.) Referred to Board May 24, 1993 For Adoption Without Committee Reference Calendar.

File 6-93-13

Referred to Committee

[Managed Care]
Resolution advising the state of California's Department of Health Services of the City and County of San Francisco's interest in maintaining its options under the state's managed care initiative. (Supervisor Shelley presented.) Referred to Health, Public Safety and Environment Committee with request it be considered at the May 25, 1993 meeting.

File 12-93-3.1

[Nuclear Test Ban]
Resolution declaring support of the Board of Supervisors of the City and County of San Francisco and urging the President of the United States to continue the nuclear weapons testing moratorium. (Supervisor Bierman presented.) Referred to Economic Vitality and Social Policy Committee.

File 13-93-17

[Official Newspaper]
Resolution designating certain newspapers to be official newspapers of the City and County of Official Advertising. (Supervisor Hallinan presented.) Referred to Government Efficiency and Labor Committee with request it be considered at the June 2, 1993 meeting.

File 112-93-1

[General Obligation Bonds]
Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal improvements, to wit: acquisition, construction or reconstruction of certain improvements to streets, sidewalks, street lighting and utilities, including street and sidewalk improvements, traffic

safety improvements, street lighting improvements, and improvements for the undergrounding of certain utilities, that the estimated cost of $73,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisor Hsieh presented.) Referred to Budget Committee.

File 170-93-6

[General Obligation Bonds]
Resolution determining the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal improvements, to wit: acquisition, construction or reconstruction of cultural facilities, including the construction and reconstruction of certain improvements to the main library for the purpose of relocating the Asian Art Museum to such location, the acquisition, construction, and reconstruction of certain improvements to the Steinhart Aquarium, the construction and reconstruction of certain improvements to five community cultural facilities (Mission Cultural Center, Bayview Opera House, Center for African and African American Art and Culture - Western Addition, South of Market Cultural Center and the Art Commission Gallery), and the construction and reconstruction of certain improvements to the Exploratorium, that the estimated cost of $94,045,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisor Shelley presented.) Referred to Budget Committee.

File 170-93-7

[Charter Resolution]
Resolution establishing that the City and County of San Francisco should move to a mission-driven budget process that creates programmatic and policy review and evaluation of the budget. (Supervisor Shelley presented.) Referred to Rules Committee.

File 246-93-1

[Refuse Business Tax]
Draft resolution urging the Alameda County Board of Supervisors to reject the proposed Business Tax as bad policy, an unfair burden to San Francisco refuse ratepayers and an inappropriate attempt to circumvent the covenants of the Intercounty Agreement. (Supervisor Kaufman presented.) Referred to Government Efficiency and Labor Committee.

File 279-93-1

[Ballot Measure]
Charter amendment (Draft) amending Section 2.101 to allow the Board of Supervisors to combine or to transfer and redistribute among

departments or offices any function or duty assigned to any department by charter or by ordinance. (Supervisor Migden presented.) Referred to Rules Committee.

File 247-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) amending Sections 3.100-2, 3.103, 3.660, 3.661, 3.680 through 3.682, 8.420 through 8.428 and 8.515 to create a Department of Human Resources encompassing the Employee Relations Division, Health Service System, Workers Compensation and policy functions of the Civil Service Commission, to convert the Civil Service Commission into an appellate body, to make the Human Resources Director appointed by the Mayor and confirmed by the Board of Supervisors and to make the Director of Employee Relations appointed by the Human Resources Director. (Supervisor Kaufman presented.) Referred to Rules Committee.

File 248-93-1

[Ballot Measure]
Charter amendment (Draft) adding Sections 3.511 through 3.511-6, repealing Sections 3.590 through 3.598, and amending Section 3.559 to delete the Public Utilities Commission and to consolidate the Water Department, the Hetch Hetchy Project and the Sewer Service Enterprise in the Department of Water Resources Management under the Chief Administrative Officer. (Supervisor Kaufman presented.) Referred to Rules Committee.

File 249-93-1

[Ballot Measure]
Charter amendment (Draft) adding Sections 3.511 through 3.511-7, and repealing Sections 3.590 through 3.594 and 3.596 through 3.599 to delete the Public Utilities Commission and to transfer the Water Department, the Hetch Hetchy Project, the Bureau of Light, Heat and Power, the Bureau of Energy Conservation, the auxiliary water supply system and the Sewer Service Enterprise to the Department of Water and Power under the Chief Administrative Officer. (Supervisor Migden presented.) Referred to Rules Committee.

File 250-93-1

[Ballot Measure]
Charter amendment (Draft) repealing Sections 3.590 through 3.599 establishing and governing the Public Utilities Commission, and adding Sections 3.590 through 3.597 to establish a Commission and Department of Public Transit and governing the same. (Supervisor Migden presented.) Referred to Rules Committee.

File 251-93-1

[Ballot Measure]
Charter amendment (Draft) amending Sections 3.538 and 3.698-3 to transfer the function of administering the Parking Ticket Enforcement Program from the Department of Parking and Traffic to the Chief of Police, and to authorize the Board of Supervisors to transfer the administration of all or any part of said function from the Chief of Police to the head of any other department of the City and County of San Francisco. (Supervisor Maher presented.) Referred to Rules Committee.

File 252-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) amending Sections 3.620 through 3.624 and Section 6.404 establishing and governing the Fine Arts Museums of San Francisco, eliminating the enumeration of civil service positions for employees of the Fine Arts Museums, and restructuring the fiscal and organizational relationship between the Fine Arts Museums and the City and County of San Francisco and the financing operations of the Fine Arts Museums of San Francisco. (Supervisor Conroy presented.) Referred to Rules Committee.

File 253-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) amending Section 3.674 relating to the funding of the retirement system. (Supervisor Shelley presented.) Referred to Rules Committee.

File 254-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) adding Section 3.699-6 and amending Sections 3.401, 3.402, 8.105 and 8.107 relating to the creation of an Ethics Commission and enforcement of ethics laws. (Supervisor Shelley presented.) Referred to Rules Committee.

File 255-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 6.203 to require the Mayor to transmit to the Board of Supervisors the proposed budget for the ensuing fiscal year by the first day of May of each year. (Supervisor Migden presented.) Referred to Rules Committee.

File 256-93-1

[Ballot Measure]
Charter amendment (Draft) amending Section 6.304 relating to disbursement in advance of revenues. (Supervisor Migden presented.) Referred to Rules Committee.

File 257-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Sections 7.100 and 7.103 relating to purchases of materials, supplies and equipment for the City and County of San Francisco. (Supervisor Migden presented.) Referred to Rules Committee.

File 258-93-1

[Ballot Measure]
Charter amendment (First Draft) adding Section 7.504 relating to building inspection and construction. (Supervisor Kaufman presented.) Referred to Rules Committee.

File 259-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) amending Sections 8.401, 8.405, 8.407 and 8.590-1 through 8.590-7 relating to salary setting for police officers. (Supervisor Kennedy presented.) Referred to Rules Committee.

File 260-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 8.406 relating to the reduction of salaries of city employees and officials. (Supervisor Migden presented.) Referred to Rules Committee.

File 261-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 8.407 relating to the setting of salaries for miscellaneous employees. (Supervisor Migden presented.) Referred to Rules Committee.

File 262-93-1

[Ballot Measure]
Charter amendment (Draft) adding Section 8.517-3 providing for early service retirement. (Supervisor Conroy presented.) Referred to Rules Committee.

File 263-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) adding Section 8.517-4 and amending Sections 8.559-4, 8.559-5, 8.585-4, 8.585-5, 8.586-4, 8.586-5, 5.588-4 and 8.588-5 relating to pension benefits for surviving spouses of police officers and firefighters. (Supervisor Maher presented.) Referred to Rules Committee.

File 264-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) amending Sections 8.590-1 through 8.590-7 to add District Attorney Investigators to the coverage provided therein related to compensation and working conditions. (Supervisor Alioto presented.) Referred to Rules Committee.

File 265-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) amending Sections 9.103, 9.104, 9.106, 9.108, 9.109, 9.110, 9.111 and 9.114 and repealing Section 9.100-2 relating to elections. (Supervisor Bierman presented.) Referred to Rules Committee.

File 266-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) to allow the City's Retirement Board to consider whether the actual investment and personnel experience differs from the assumptions used in the actuarial valuation. (Supervisor Conroy presented.) Referred to Rules Committee.

File 267-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) to allow the City's Retirement Board to extend the time period for amortizing unfunded prior service liabilities. (Supervisor Conroy presented.) Referred to Rules Committee.

File 268-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) providing for early retirement of police officers and firefighters. (Supervisor Conroy presented.) Referred to Rules Committee.

File 269-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) to authorize the retirement board to consider changes in the market value of retirement system assets in calculating actuarial liability. (Supervisor Conroy presented.) Referred to Rules Committee.

File 271-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) to create an executive management

corps of all senior management positions. (Supervisor Kaufman presented.) Referred to Rules Committee.

File 273-93-1

[Ballot Measure]
Charter amendment (Draft) to require all City departments and agencies to develop and present to the Mayor and Board of Supervisors once every five years a five-year revenue and expenditure plan. (Supervisor Kaufman presented.) Referred to Rules Committee.

File 275-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) to establish a Commission on the Environment and Department of the Environment governing environmental regulation and solid waste management. (Supervisor Shelley presented.) Referred to Rules Committee.

File 276-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) amending Sections 8.401, 8.405, 8.407 and 8.590-1 through 8.590-7 relating salary setting for firefighters. (Supervisor Kennedy presented.) Referred to Rules Committee.

File 277-93-1

[Ballot Measure]
Charter amendment (Skeletal Draft) amending Sections 8.401, 8.404, 8.407 and 8.409 through 8.409-6 relating to salary setting for municipal railway transit operators. (Supervisor Kennedy presented.) Referred to Rules Committee.

File 278-93-1

Request for Hearings:

File 7-93-8, By Supervisor Conroy: To consider legislation requiring stiff penalties or mandatory penalties on sentences for persons convicted of perpetrating crimes of violence on the Municipal Railway, at bus stops or in railway stations. Referred to Health and Public Safety Committee.

File 19-93-5, By Supervisor Maher: To consider legislation banning overnight parking of campers and converted buses in residential areas without permit that would allow for parking within 100 yards of legal residence. Referred to Economic Vitality and Social Policy Committee.

File 60-93-3, By Supervisor Conroy: To consider limitations on absentee ballots and polling places. Referred to Rules Committee.

File 97-93-31, By Supervisor Alioto: To consider the process used, follow-through and success rate of the departments in applying for and winning grants and to consider the feasibility of a centralized grant application office for the City to increase the grants applied for and grants awarded. Referred to Government Efficiency and Labor Committee.

File 206-93-1.1, By Supervisor Alioto: To consider the San Francisco Housing Authority evictions. Referred to Housing and Land Use Committee.

File 207-93-1.1, By Supervisors Hallinan, Maher, Bierman: To consider the Board of Supervisors going on record opposing the closure of the Park Station as a precinct station. Referred to Health and Public Safety Committee.

Motion:

Referred to Board

File 30-93-5.5 [Needle Exchange] Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto presented.) Referred to Board May 24, 1993 For Adoption Without Committee Reference Calendar.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-92-84 [Government Funding] Appropriating $4,450,000, Superior Court, for other contractual services and services of other departments-Chief Administrative Officer). RO #92262 (Controller) Budget

File 102-92-17. [Public Employment] Amending Annual Salary Ordinance, 1992-93, Water Department, reflecting the addition of three positions (Classification 7334 Stationary Engineer (3) and deletion of three positions Classifications 7463 Utility Plumber Apprentice (2) and 7410 Automotive Service Worker (1); companion measure to File 101-92-79. (Civil Service Commission) Budget

File 34-93-3. [Width of Sidewalk] Amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1510 re-establishing the official widths of sidewalk on Harrison Street, between 15th and 18th Streets; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Housing and Land Use

File 45-93-38. [Settlement of Litigation] Authorizing settlement of

litigation of Victoria Got against the City and County of San Francisco, by payment of $65,000. (City Attorney) Government Efficiency and Labor

File 45-93-39. [Settlement of Litigation] Authorizing settlement of litigation of Patricia Bright against the City and County of San Francisco, by payment of $16,666.66. (City Attorney) Government Efficiency and Labor

File 45-93-40. [Settlement of Litigation] Authorizing settlement of litigation of The Home Insurance Company against the City and County of San Francisco, by payment of $11,000. (City Attorney) Government Efficiency and Labor

File 46-93-7. [Settlement of Lawsuit] Authorizing settlement of City and County of San Francisco v. Carol Jan Green, Russell Green, Eileen Green, et al., upon receipt of $25,000 and dismissal of complaint. (City Attorney) Government Efficiency and Labor

File 46-93-8. [Settlement of Lawsuit] Authorizing settlement of City and County of Marilyn Jean Christensen v. Tutor-Saliba Corporation, et al., upon receipt of $3,333.33 and release of lien. (City Attorney) Government Efficiency and Labor

File 118-93-3. [Fees/Permits] Amending Health Code by amending Sections 258, 291.7 and 451 and adding Section 294 thereto to impose a permit requirement and fee for operation of a solid waste transfer station, to incorporate by reference Section 40200 of the California Public Resources Code, to change the fees for refuse collection liens and tattoo parlors, to change the definition of special events, and to adopt a definition of school food concessions for purposes of issuing permits. (Department of Public Health) Budget

File 127-93-4. [Filing and License Fees Department of Public Health] Amending Part III Municipal Code (Revenue and Finance) by amending Sections 35, 120, 122, 221, 248, 249.1, 249.3, 249.5, 249.6, 249.7, 249.9, 249.11, 249.12, 249.13 and 249.14 and adding Sections 249.2 and 249.15 to change the filing and license fees for various Department of Public Health services, to require license for operation of a solid waste transfer station, to incorporate by reference Sections 40191, 40194, 40195 and 40200 of the California Public Resources Code, to define those school food concession operations that require a license fee and to make technical corrections. (Department of Public Health) Budget

Resolutions Referred to Committee

File 133-92-3.1. [Household Waste Grant] Authorizing the Chief Administrative Officer of the City and County of San Francisco to accept and expend $109,067 in Household Hazardous Waste Grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs; companion measure to File 133-92-3. (Chief Administrative Officer) Government Efficiency and Labor

File 25-93-4. [Contracting Out City Services] Concurring with the Controller's certification that inpatient dental services can be practically performed for the Department of Public Health, Laguna Honda Hospital by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health) Government Efficiency and Labor

File 25-93-5. [Contracting Out City Services] Concurring with the Controller's certification that Convention Facilities Management Operation and Maintenance Service can be practically performed at Brooks Hall, Civic Auditorium and Moscone Center by private contractor for lower cost than similar work services performed by City and County employees. (Chief Administrative Officer) Government Efficiency and Labor

File 30-93-10. [Patient Day Rates] Fixing patient day rates for services furnished by City and County Health Care Institutions and rescinding Resolution No. 764-92. (Department of Public Health) Budget

File 33-93-4. [Appointment] Confirming Mayor's Appointment to the San Francisco Port Commission (Preston Cook, for the term to expire May 1, 1997, vice Douglas Wong, term expired). (Mayor) Rules

File 51-93-1. [Reimbursement to Employees] Authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty. (Controller) Government Efficiency and Labor

File 84-93-1. [Acquisition of Real Property] Authorizing the City and County of San Francisco to acquire, on behalf of the Clean Water Program of the Department of Public Works, two temporary construction easements through a portion of the real property identified as Assessor's Parcel Nos. 5585/1/3/4; and to adopt findings pursuant to City Planning Code Section 101.1. (Real Estate Department) Budget

File 94-93-2. [Grant - State Department of Industrial Relations] Authorizing the General Manager, Public Utilities Commission to apply for, accept and expend funds for the PUC Office of Health and Safety up to $75,000 available from the California Department of Industrial Relations 1993 Occupational Safety and Health Training and Education Grant Program; waiving indirect costs; and providing ratification of action previously taken. (Public Utilities Commission) Government Efficiency and Labor

File 146-93-12.1. [Grant - State Funds] Authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to accept and expend a grant of $179,576, from State Department of Health Services, for the continuation of immunization services; waiving indirect costs. (Department of Public Health) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that Budget Analyst provide a report to the Board summarizing total expenditures, total number of employees, total General Fund expenditures as a percentage of total budget, and total Departmental contracts for the City's ten largest departments.

By Supervisor Conroy, that letter be sent to the Department of Parking and Traffic inquiring about the feasibility of installing a left turn signal westbound on Bay Street to Van Ness Avenue.

By Supervisor Conroy, that City Attorney provide information on the possibility of the City pursuing legislation to require stiff penalties or mandatory penalties on sentences for persons convicted of perpetrating crimes of violence on the Municipal Railway, at bus stops or in railway stations.

By Supervisor Hallinan, that City Attorney draft legislation whereby the Board of Supervisors would declare itself to be the Housing Authority Commission of the City and County of San Francisco thereby dissolving the current Housing Authority Commission, pursuant to Health and Safety Code Section 34290.

By Supervisor Hsieh, that letter be sent to the Department of Parking and Traffic requesting it investigate the possibility of the residents of 16th Avenue near Lawton Street be allowed to park on the sidewalk to help avoid accidents caused by the sharp street curve.

By Supervisor Kennedy, that letter be sent to Controller inquiring as to why Peggy W. Hawkins, his employee or former employee, cannot come back to her job. (Ms. Hawkins, who is a disabled person, was hit by a car some time ago. Since her recovery from the accident, Ms. Hawkins has not been able to get her job back.)

By Supervisor Kennedy, that letter be sent to Controller inquiring whether we still get Title VI funds, how that money has been spent since 1964, and who controls these funds.

By Supervisor Kennedy, that letters be sent to each department requesting (beginning now) a list of all contracts, procurements and others, that will be let by their individual department (this information is requested in advance of the contracts being let); and requesting that departments list the criteria for each contract, which contract will be sole source, service, emergency; and the number of contracts that have federal, local and/or state requirements.

By Supervisor Maher, that City Attorney draft legislation banning overnight parking of campers and converted buses in residential areas without a permit that would allow for parking within 100 yards of legal residence.

By Supervisor Migden, that letter be sent to Registrar of Voters inquiring about the feasibility of voting in neighborhoods prior to election day.

By Supervisor Kaufman, that City Attorney draft legislation to transfer the Utilities Engineering Bureau out of the Public Utilities Commission and into the Department of Public Works.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Clifford John Heaphy (Supervisor Alioto)
Eugene J. Barry (Supervisor Bierman)
John Jurgens (Supervisor Bierman)
Frank Wilson (Supervisor Bierman)
Elsie Reaven (Supervisor Shelley)
William Randolph Hearst, Jr. (By entire Board)

File 2-93-20

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:17 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 18, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Vol. 88 No. 21

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Monday, May 24, 1993
Wednesday, May 26, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 24, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:16 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Achtenberg, Conroy, Maher - 3.

Quorum present.

Supervisor Achtenberg excused. (See infra.)

Supervisor Conroy was noted present at 2:19 p.m.

Supervisor Maher excused, on official leave of absence.

Supervisor Achtenberg Excused

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to excuse Supervisor Achtenberg from attending today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Privilege of the Floor

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to suspend the Rules of Order of the Board of Supervisors so that representatives of Women Against Crime could speak to the Board.

There being no objection, motion to suspend the rules was adopted and representatives of Women against crime spoke to the Board.

Announcement

President Alioto announced that Supervisor Achtenberg was confirmed by the Senate as Assistant Secretary of the U.S. Department of Housing and Urban Development

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Hsieh, moved that the Journals of Proceedings for Monday, November 16, November 23 and December 7, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Kaufman, Maher - 3.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Government Funding]
Ordinance appropriating $200,000, Police Department, for overtime, for fiscal year 1992-93. (Controller)

File 101-92-69, Ordinance No. 157-93

Finally passed.

[Government Funding]
Ordinance appropriating $377,859, Police Department, for Workers' Compensation, for fiscal year 1992-93. (Controller)

File 101-92-70, Ordinance No. 158-93

Finally passed.

[Government Funding]
Ordinance appropriating $336,000, Police Department, for permanent salaries-miscellaneous and related mandatory fringe benefits, for fiscal year 1992-93. (Controller)

File 101-92-71, Ordinance No. 159-93

Finally passed.

[Government Funding]
Ordinance appropriating $15,430,000, Department of Public Works, for various capital improvement projects (Fire Department and Fine Arts Museum); placing $8,053,400 on reserve. (Controller)

File 101-92-72, Ordinance No. 160-93

Finally passed.

[Government Funding]
Ordinance appropriating and certifying $62,017, Department of Public Works, for capital improvement project to cover ten percent overage as per Charter Section 7.203, providing for ratification of action previously taken, for fiscal year 1992-93. (Controller)

File 101-92-73, Ordinance No. 161-93

Finally passed.

[Property Tax Allocation]
Ordinance amending Administrative Code, to require the Controller to allocate property taxes collected in the City and County in accordance with the laws governing apportionment during fiscal year 1992-93. (Supervisor Shelley)

File 97-93-25, Ordinance No. 156-93

(Adds Sections 10.7-2 through 10.7-2.3.)

Finally passed.

[Building Code]
Ordinance amending Building Code, governing boiler inspection. (Supervisor Kennedy)

File 114-93-3, Ordinance No. 163-93

(Adds new Section 328.)

Finally passed.

[Building Code]
Ordinance amending Building Code, to provide new fees commensurate with new code Section 328 of the Building Code governing boiler inspection; companion measure to File 114-93-3. (Supervisor Kennedy)

File 114-93-4, Ordinance No. 164-93

(Amends Section 330.4.)

Finally passed.

[Stadium Operator Admission Tax]
Ordinance amending Part III, Municipal Code, increasing the rate of the stadium admission tax from 50 cents to $1.50 on tickets sold at $25.02 or more. (Supervisor Alioto)

File 127-93-1, Ordinance No. 166-93

(Amends Section 802.)

Finally passed.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $19,745, Sheriff Department, for services of other departments-Automotive Maintenance-Central Shops, for fiscal year 1992-93. (Controller)

File 101-92-75, Ordinance No.

Passed for second reading.

[Government Funding]
Ordinance appropriating $173,000, Chief Administrative Officer, for various program project budget (City Attorney and Chief Administrative Officer), for fiscal year 1992-93. (Controller)

File 101-92-76, Ordinance No.

Passed for second reading.

[Government Funding]
Ordinance appropriating $77,000, Chief Administrative Officer, for various program project budget (City Attorney and Chief Administrative Officer), for fiscal year 1992-93. (Controller)

File 101-92-77, Ordinance No.

Passed for second reading.

[Government Funding]
Ordinance appropriating $230,000, Chief Administrative Officer, for various program project budget (City Attorney and Chief Administrative Officer), for fiscal year 1992-93. (Controller)

File 101-92-78, Ordinance No.

Passed for second reading.

[Government Funding]
Ordinance rescinding $1,000,000 equity transfer to the General Fund and reappropriating to the Port Commission Operating Fund, for fiscal year 1992-93. (Controller)

File 101-92-80, Ordinance No.

Passed for second reading.

Recommendation of Economic Vitality and Social Policy Committee

Finally Passed

[Places of Entertainment]
Ordinance amending Police Code, relating to permit and fee requirements for places offering informal entertainment. (Supervisors Alioto, Bierman, Hallinan, Kaufman, Migden)

File 121-93-3, Ordinance No. 165-93

(Amends Sections 1060 and 1060.22.)

Finally passed.

In connection with the above item Supervisor Migden requested to be added as co-sponsor.

Recommendation of Rules Committee

Finally Passed

[Appointment of Road Commissioner]
Ordinance appointing John E. Cribbs, Director of Public Works, to serve as Road Commissioner for the City and County of San Francisco, and repealing Ordinance No. 23-88. (Chief Administrative Officer)

File 92-93-17, Ordinance No. 155-93

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport - Lease Modifications]
Ordinance approving Modification No. 6 of Lease and Use Agreement between USAir, Inc., and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-93-9, Ordinance No.

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Cynthia Y. Cantero v. Officer Willis Casey, and City and County, by payment of $12,000. (City Attorney)

File 45-93-23, Ordinance No.

(U.S.D.C. No. C91-1764.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Michael Quevillion against City and County, by payment of $13,500. (City Attorney)

File 45-93-25, Ordinance No.

(U.S.D. Court No. C91-0691.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Great Western Savings in the sum of $1,896,468.51 (consisting of $1,364,203.00 in tax refunds and $532,265.51 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney)

File 45-93-26, Ordinance No.

(Superior Court No. 815-223.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of American Savings Bank, F.A. and New West Federal Savings and Loan Association in the sum of $2,391,273.73 (consisting of $1,904,677.15 in tax refunds and $486,596.58 in interest) to be paid in ten equal annual installments at seven percent per annum in interest and over the ten-year period. (City Attorney)

File 45-93-27, Ordinance No.

(Superior Court No. 941-478.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Citibank, a Federal Savings Bank (formerly Citicorp Savings) in the sum of $1,177,285.16 (consisting of $941,661.88 in tax refunds and $235,623.28 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney)

File 45-93-28, Ordinance No.

(Superior Court No. 948-296.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Southern California Federal Savings and Loan Association (formerly Southern California Savings and Loan Association) in the sum of $172,975.57 (consisting of $134,842.96 in tax refunds and $38,132.61 in interest) to be paid in four equal annual installments. (City Attorney)

File 45-93-29, Ordinance No.

(Superior Court No. 815-223.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Glendale Federal Bank, a Federal Savings Bank (formerly Glendale Federal Savings and Loan Association) in the sum of $644,655.72 (consisting of $494,554.24 in tax refunds and $150,101.48 in interest) to be paid in four equal annual installments. (City Attorney)

File 45-93-30, Ordinance No.

(Superior Court No. 948-297.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of United Savings Bank, a Federal Savings Bank in the sum of $825,313.89 (consisting of $650,658.19 in tax refunds plus $174,655.70 in interest) to be paid in four equal annual installments. (City Attorney)

File 45-93-31, Ordinance No.

(Superior Court No. 948-299.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of United Savings Bank, a Federal Savings Bank, as successor in interest to Golden Coin Savings and Loan Association in the sum of $326,399.05 (consisting of $253,623.85 in tax refunds and $72,775.20 in interest) to be paid in four equal annual installments plus statutory interest. (City Attorney)

File 45-93-32, Ordinance No.

(Superior Court No. 948-300.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Coast Federal Bank in the sum of $961,485.57 (consisting of $703,038.20 in tax refunds and $258,447.37 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney)

File 45-93-33, Ordinance No.

(Superior Court No. 948-298.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of California Federal Bank in the sum of $1,119,749.10 (consisting of $831,410.84 in tax refunds and $288,338.26 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney)

File 45-93-34, Ordinance No.

(Superior Court No. 948-295.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of San Francisco Federal Savings & Loan in the sum of $1,202,718.79 (including $948,933.00 in tax refunds and $253,785.79 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney)

File 45-93-35, Ordinance No.

(Superior Court No. 940-841.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Home Savings of America, F.A. in the sum of $1,738,814.82 (consisting of $1,228,201.03 in tax refunds and $510,613.79 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney)

File 45-93-36, Ordinance No.

(Superior Court No. 840-952.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of 1st Nationwide Bank, a Federal Savings Bank (formerly 1st Nationwide Savings) in the sum of $3,149,870.70 (consisting of $2,565,609.75 in tax refunds and $584,260.95 in interest) to be paid in ten equal annual installments at seven percent per annum in interest over the ten-year period. (City Attorney)

File 45-93-37, Ordinance No.

(Superior Court No. 948-294.)

Passed for second reading.

[Commercial Lease Documents]
Ordinance approving and adopting Polk-Bush Garage commercial lease

legal documents and authorization for lease agreement. (Real Estate Department)

File 47-93-3, Ordinance No.

Passed for second reading.

Adopted

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $500,000, which included indirect costs based on twenty percent of personnel costs, from the Centers for Disease Control to continue funding the Evaluation of HIV/AIDS Prevention Street and Community Outreach Programs that serve youth in high risk situations project (also known as the Youth SCOPE/AESOP Project). (Department of Public Health)

File 146-93-17, Resolution No. 399-93

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Health Services, Department of Epidemiology and Disease Control, STD Control Division, to apply for, accept and expend a grant of $272,529, which includes indirect costs of $14,826 based on twenty percent of personnel salaries from the Centers for Disease Control for the provision of enhanced STD services. (Department of Public Health)

File 146-93-19, Resolution No. 400-93

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to accept and expend a grant of $84,375, which includes indirect costs in the amount of $1,958 based on ten percent of salaries, from the State Department of Health Services, Maternal Child Health Branch for educational and support services for African American pregnant and postpartum women and their infants. (Department of Public Health)

File 146-93-24, Resolution No. 404-93

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to accept and expend a

grant of $485,393, which includes indirect costs in the amount of $32,810 based on ten percent of allowable salaries, and a required match in the amount of $52,495, which is eleven percent of the total grant award, from the State Department of Health Services, Maternal Child Health Branch for perinatal, maternal and child health and related services. (Department of Public Health)

File 146-93-25, Resolution No. 405-93

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Works to apply for, accept and expend retroactively, grant funding in the amount of $3,510 from the United States Department of Agriculture through California Department of Forestry and Fire Protection, for providing direct costs to hire staff assistant for the Public Works Citizens Tree Advisory Board; and waiving indirect costs. (Department of Public Works)

File 148-93-3, Resolution No. 406-93

Adopted.

[Real Property License Agreements]
Resolution authorizing execution of certain real property license agreements necessary to monitor and minimize potential construction effects of the Muni Metro Turnback Project of the private buildings along the east side of Steuart Street between Mission and Howard Streets, located on Assessor's Block 3715, Lots 1, 2, 3, 4, 5, 6, 7 and 13. (Real Estate Department)

File 172-93-19, Resolution No. 407-93

Adopted.

[Muni Metro Turnback]
Resolution approving BART agreement and authorize Manager, Utilities Engineering Bureau, to execute same. (Public Utilities Commission)

File 172-93-20, Resolution No. 408-93

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Consideration Continued to Recessed Meeting

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, Community College District and Unified School District, whose compensations are subject to the provisions of Section 8.400, Section 8.401 and Section 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1993. (Civil Service Commission)

File 106-93-1, Ordinance No.

(April 26, 1993 - Finally passed.
April 30, 1993 - Returned disapproved by Mayor.
May 17, 1993 - Consideration continued to May 24, 1993.)

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to continue consideration to recessed meeting on Wednesday, May 26, 1993 at 1:30 p.m.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Noes: Supervisor Kaufman - 1.

Absent: Supervisors Achtenberg, Maher - 2.

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $117,947,912, Airports Commission, for various capital improvement projects and bond redemption and rescinding $5,581,450 from the bond reserve payment, for fiscal year 1992-93. (Controller)

File 101-92-68, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Finally Passed

[Lease Amendment]
Ordinance approving a lease amendment entered into between the City and County and the San Francisco 49ers, which would change the formula by which concession revenues are allocated to the City and the 49ers contingent upon the Recreation and Park Commission approving an amendment to Paragraph 2 of the Eighth Amendment that would provide that the terms of Paragraph 2 are subject to further negotiation should either party so desire after January 1, 2001. (Supervisor Alioto)

File 62-93-2, Ordinance No. 154-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Recommendations of Housing and Land Use Committee

Finally Passed

[Rent Ordinance]
Ordinance amending Administrative Code, to provide that petitions for capital improvements, rehabilitation and energy conservation measures must be filed no later than five years after the work has been completed, to limit the amount hearing officers may refund to tenants for null and void rent increase, to limit the amount tenants may recover in civil actions for null and void rent increases and to change the title of Executive Secretary to Executive Director. (Residential Rent Stabilization and Arbitration Board)

File 109-93-1, Ordinance No. 162-93

(Amends Sections 37.4, 37.7, 37.8 and 37.11A.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Passed for Second Reading

[Parking and Traffic]
Ordinance amending Traffic Code, relating to the denomination of coins and length of parking time allowed at parking meters. (Supervisors Shelley, Kaufman)

File 124-93-3, Ordinance No.

(Amends Section 203.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

Recommendations of Rules Committee

Adopted

[Appointments]
Resolution appointing members to the Emergency Medical Care Committee, for three-year terms ending June 30, 1995; making findings waiving residency requirement. (Rules Committee)

File 92-93-15, Resolution No. 389-93

(Dr. Odelia Braun, non-resident, San Francisco Medical Society, vice Robert Hemmick, term expired;
Linda Wang, resident, Community Mental Health Services, Department of Public Health, vice new position.)

(May 3, 1993 - Rereferred to Committee from Board.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $64,770,000, Department of Public Works, for various capital improvement projects, for fiscal year 1992-93; placing $38,117,000 on reserve. (Controller)

File 101-92-74, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Government Funding]
Ordinance appropriating $1,438,506, Sheriff, for capital improvement project (New Sheriff's Facility), for fiscal year 1992-93. (Controller)

File 101-92-83, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Revolving Fund]
Ordinance amending Administrative Code, to reduce Port Commission Revolving Fund to $60,000. (Port)

File 97-93-24, Ordinance No.

(Amends Section 10.169.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Rent Fee]
Ordinance amending Administrative Code, to increase the Residential Rent Stabilization and Arbitration Fee from eight to ten dollars. (Supervisor Migden)

File 97-93-26, Ordinance No.

(Amends Section 37A.2(d).)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Adopted

[Tax and Revenue Anticipation Notes]
Resolution approving and authorizing the borrowing of funds for fiscal year 1993-94 and the issuance and sale of City and County of San Francisco, California, 1993-94 Tax and Revenue Anticipation Notes therefor; approving official statement relating to such notes; authorizing the distribution of an official notice of sale in connection with the notes; authorizing public sale of such notes and authorizing other official actions in connection therewith. (Controller)

File 239-93-1, Resolution No. 369-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Recommendation of Budget and
Economic Vitality and Social Policy Committees

Consideration Continued

[New Jobs Tax Credits]
Ordinance amending Part III of the Municipal Code, to add credits for newly created jobs to offset business tax and payroll expense tax liabilities. (Supervisors Kaufman, Alioto, Conroy, Kennedy)

File 127-93-2, Ordinance No.

(Adds Sections 906B and 1005.6.)

(Fiscal Impact.)

Supervisor Kaufman, seconded by Supervisor Migden, moved to continue consideration to June 1, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Enterprise Zone, Tax Credit]
Ordinance amending Part III of the Municipal Code (Payroll Expense Tax Ordinance), by increasing tax credits for persons who maintain a fixed place of business within the San Francisco Enterprise Zone and who create new jobs and hire employees qualified under specified government jobs programs; and amending (Business Tax Ordinance) by increasing tax credits for persons who maintain a fixed place of business within the San Francisco Enterprise Zone and who create new jobs and hire employees qualified under specified government jobs programs. (Supervisors Kaufman, Alioto, Conroy, Kennedy)

File 127-93-3, Ordinance No.

(Amends Sections 906A and Section 1005.5.)

(Fiscal Impact.)

Supervisor Kaufman, seconded by Supervisor Migden, moved to continue consideration to June 1, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Bettina Heath against Juvenile Hall, Youth Guidance center, Juvenile Court, City and County, James Sutro, and Does I through XX, inclusive for $90,500. (City Attorney)

File 45-93-24, Ordinance No.

(Superior Court No. 919-454.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Parking and Traffic]
Ordinance amending Administrative Code, relating to hold harmless agreements between the Department of Parking and Traffic and governmental agencies for receipt of transportation grant funds. (Department of Parking and Traffic)

File 97-93-23, Ordinance No.

(Adds Section 1.41.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Benefits for Fire Department Chief and Deputy Chief]
Ordinance approving the provision of health benefits equal to those provided to Firefighters to Classifications 0140 Chief of Department and 0150 Deputy Chief conditional on the signing of waiver regarding the 1991-92 wage freeze; providing for ratification of action previously taken. (Mayor)

File 105-93-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Benefits for Police Department Chief]
Ordinance approving the provision of health benefits equal to those provided to Q2 Police Officers to Classification 0390 Police Chief conditional on the signing of waiver regarding the 1991-92 wage freeze; providing for ratification of action previously taken. (Mayor)

File 105-93-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Adopted

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend an augmentation in the amount of $81,719, to an existing grant of $1,053,333 from the State Department of Health Services to provide for breast and cervical cancer screening and diagnostic services and a match in the amount

of $29,014 which is thirty-three percent of the direct cost to the residents of San Francisco; waiving indirect costs and providing for ratification of action already taken. (Department of Public Health)

File 146-92-10.2, Resolution No. 398-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Commendation]
Resolution congratulating the Hotel and Restaurant Workers Union, Local 2, and the Parc 55 Hotel and its historic contract agreement; and applauding the union and hotel on their new joint efforts to promote tourist business. (Supervisors Kaufman, Shelley, Bierman, Alioto, Migden)

File 6-93-12, Resolution No. 383-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

In connection with the above item, Supervisors Alioto and Migden requested to be added as co-sponsors.

[Reimbursement to Employees]
Resolution authorizing reimbursement for cost of personal property of City and County Employees damaged/stolen in the line of duty. (Controller)

File 51-93-1, Resolution No. 385-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Grant - Federal Funds]
Resolution authorizing the Executive Director of the Port to apply for retroactively, accept and expend $523,600 from the U.S.

Department of Transportation through the California Transportation Commission to rehabilitate Pier 47A, Fisherman's Wharf, foregoing reimbursement of indirect costs. (Port)

File 144-93-2, Resolution No. 394-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

[Grant - Federal Funds]
Resolution authorizing the Executive Director of the Port to apply for retroactively, accept and expend $1,000,000 from the U.S. Department of Transportation through the California Transportation Commission to conduct planning and environmental studies for the renovation of the Ferry Building, foregoing reimbursement of indirect costs; placing $1,000,000 on reserve. (Port)

File 144-93-3, Resolution No. 395-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

[Grant - Federal Funds]
Resolution authorizing the Executive Director of the Port to apply for retroactively, accept and expend $2,723,184 from the California Transportation Commission and $480,000 from the Federal Highway Administration for Ferry Terminal Upgrade and providing for reimbursement of indirect costs to the Port; placing $3,075,784 on reserve. (Port)

File 144-93-4, Resolution No. 396-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of $356,000, from the

Centers for Disease Control to continue funding the AIDS Early Intervention Network Project through the Comprehensive Aids Resources Emergency (CARE Title III) Disaster Relief Grant; waiving indirect costs and providing ratification of action previously taken. (Department of Public Health)

File 146-93-10.1, Resolution No. 397-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, Division of Tuberculosis Control, to accept and expend retroactively a grant of $541,982, which includes indirect costs in the amount of $59,519, based on twenty percent of salaries from the Department of Health and Human Services, Centers for Disease Control, for Tuberculosis Control in San Francisco, providing for ratification of action previously taken. (Department of Public Health)

File 146-93-20, Resolution No. 401-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Health Service, Department of Epidemiology and Disease Control, STD Control Division, to apply for, accept and expend a grant of $1,115,095, which includes indirect costs of $131,839, based on twenty percent of personnel salaries from the Centers for Disease Control, for provision of required STD services. (Department of Public Health)

File 146-93-21, Resolution No. 402-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Division of Mental Health Services, to apply for, accept and expend a grant of $119,773 from the State Department of Rehabilitation, to enter into a cooperative program agreement and a case service contract, and a required match of $71,253, which is fifty-nine percent of the total award to provide vocational services; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-93-22, Resolution No. 403-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

Adopted as Amended

[Grand Jury Reports]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1992-93 Civil Grand Jury to the Presiding Judge of the Superior Court, pertaining to the Public Utilities Commission Reorganization and Tuberculosis in the San Francisco County Jail. (Government Efficiency and Labor)

File 39-93-1.2

Supervisor Kaufman, seconded by Supervisor Migden, moved to amend on page 2, line 12 to add: FURTHER MOVED, That the Clerk of the Board is directed to refer to the Rules Committee a copy of the Grand Jury Reports relating to Charter Amendments, and that the Grand Jury be notified when hearings are held on charter proposals.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Bierman, Conroy, Maher - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley - 7.

Absent: Supervisors Achtenberg, Conroy, Maher, Migden - 4.

Adopted

[Salary Standardization - Registered Nurse]
Motion extending to and including June 21, 1993, the date for second reading, and to and including June 28, 1993, the date for final

adoption, of the Salary Standardization Ordinance for Registered Nurse Classifications subject to the provisions of Section 8.403 of the City Charter. (Civil Service Commission)

File 103-93-1.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Shelley - 7.

Absent: Supervisors Achtenberg, Conroy, Maher, Migden - 4.

Adopted as Amended

[Management Audit]
Motion directing the Budget Analyst to conduct an independent and comprehensive management audit of the Water Department, and urging the Mayor to urge the Public Utilities Commission to provide the funding for the audit. (Supervisor Conroy)

File 165-93-4

Supervisor Conroy, seconded by Supervisor Kennedy, moved to amend on page 1, line 9 to add: FURTHER MOVED, if funds are not available within the Water Department's budget, this audit should be included in the workplan for the Board's Budget Analyst within the current budget, after previously approved audits.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution appointing member to the Adult Day Health Planning Council, for the new three-year term ending September 30, 1995. (Rules Committee)

File 92-92-3.1, Resolution No. 388-93

(Anne M. Rovere, at-large, vice Susan Kornblatt, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

[Appointment]
Resolution confirming Mayor's appointment to the Port Commission, for the term ending May 1, 1997. (Mayor)

File 33-93-4, Resolution No. 368-93

(Preston Cook, vice Douglas Wong, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

[Appointment]
Resolution appointing member to the Emergency Medical Care Committee, for the unexpired portion of the three-year term ending June 30, 1995. (Rules Committee)

File 92-93-16, Resolution No. 390-93

(Clarissa "Penny" Marshall, consumer, vice Camille D. Huchton, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

[Appointment]
Resolution appointing member to the Bicycle Advisory Committee, for the unexpired portion of the three-year term ending December 31, 1993. (Rules Committee)

File 92-93-22, Resolution No. 391-93

(Lewis Blaikie, bicycle organization, vice Jerry Walker, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

[Appointments]
Resolution appointing members to the Senior Services Plan Task Force, for terms ending July 1, 1994. (Rules Committee)

File 92-93-25, Resolution No. 392-93

(Del Martin, new position;
Sue Eisenberg, new position.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

[Appointments]
Resolution appointing two members of the Board of Supervisors to the Association of Bay Area Governments, Executive Board, term expiring June 30, 1993, for a new two-year term ending June 30, 1995. (Rules Committee)

File 92-93-28, Resolution No. 393-93

(Supervisor Willie B. Kennedy, vice self;
Supervisor Carole Migden, vice self.)

Supervisors Kennedy and Migden Excused from Voting

The President indicated that Supervisors Kennedy and Migden need to be excused from voting because these are compensated positions.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to excuse Supervisors Kennedy and Migden from voting.

Motion to excuse Supervisors Kennedy and Migden from voting adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman - 6.

Excused: Supervisors Kennedy, Migden - 2.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

Called from Budget Committee
by Supervisor Hallinan

Consideration Continued

[Water Department]
Resolution urging the Mayor to urge the Public Utilities Commission to eliminate all of the temporary positions added to the Water Department for the drought. (Supervisor Hallinan)

File 188-93-2, Resolution No.

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to continue consideration to July 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Achtenberg, Conroy, Maher, Shelley - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Patricia Vaughey;
Norman Rolf;
Louise Vaughn;
Rita Harrison;
Tavai Fiatoa
Margaret Verges;
Ace Washington.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board

with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Making Waves Day]
Resolution declaring June 21, 1993, Making Waves San Francisco Music Day. (Supervisors Shelley, Migden)

File 4-93-19, Resolution No. 382-93

(May 17, 1993 - Introduced in Board for consideration on May 24, 1993.)

Adopted.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

[Commendation]
Resolution honoring Sanford Chandler upon his retirement from George Washington High School. (Supervisor Shelley)

File 6-93-13, Resolution No. 384-93

(May 17, 1993 - Introduced in Board for consideration on May 24, 1993.)

Adopted.

[Zoning Map Amendment]
Resolution extending through and including July 1, 1993, the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors to amend the zoning map for properties generally described as Assessor's Block 2696, Lots 31, 33, 34 and 35 from RH-3 to Castro Street Neighborhood Commercial District; and to adopt findings pursuant to City Planning Code Section 101.1. (Supervisor Achtenberg)

File 36-92-5.2, Resolution No. 386-93

(May 17, 1993 - Introduced in Board for consideration on May 24, 1993.)

Adopted.

[Zoning Map Amendment]
Resolution extending through and including July 1, 1993, the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors to amend the zoning map for properties generally described as Assessor's Block 2696, Lots 31 and 32 from RH-3 to NC-1 (19th Street and Collingwood); and to adopt findings pursuant to City Planning Code Section 101.1. (Supervisor Achtenberg)

File 36-92-6.2, Resolution No. 387-93

(May 17, 1993 - Introduced in Board for consideration on May 24, 1993.)

Adopted.

[Needle Exchange]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto)

File 30-93-5.5

(May 17, 1993 - Introduced in Board for consideration on May 24, 1993.)

Adopted.

[Condominium Project]
Motion approving final map of 1070-1080 Francisco Street, a condominium project, being a resubdivision of Lot 5, in Assessor's Block 476; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-9

(May 17, 1993 - Introduced in Board for consideration on May 24, 1993.)

Adopted.

[Residential/Commercial Condominium Project]
Motion approving final map of 2337 Mission Street, a condominium project, being a resubdivision of Lot 26, in Assessor's Block 3595; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-10

(May 17, 1993 - Introduced in Board for consideration on May 24, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy - 7.

Absent: Supervisors Achtenberg, Maher, Migden, Shelley - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-21, Resolution No. 377-93

(Roberta Achtenberg, member, Board of Supervisors, May 22 - 26; Willie B. Kennedy, member, Board of Supervisors, May 27 - June 2; Louise Renne, City Attorney, May 26 - June 1; Clare M. Murphy, General Manager, Retirement System, June 28 - July 2, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Street Closing]
Resolution authorizing temporary closing of portion of Albion Street, between 15th and 16th Streets, on Monday, June 14 and Saturday, June 19, 1993 from 6:00 p.m. to 2:00 a.m.; for one day only, weather permitting for filming purposes.

File 42-93-19, Resolution No. 378-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of portion of Taylor Street, between Union and Green Streets, on Monday, June 7 and

Saturday, June 12, 1993, from 10:00 a.m. to 4:00 a.m.; for one day only, weather permitting, for filming purposes.

File 42-93-20, Resolution No. 379-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of portion of Pacific Avenue, Grant Avenue and Stockton Street on Monday, June 7, 1993 from 9:00 a.m. to 2:00 p.m.; for the Meriwa Restaurant Grand Opening.

File 42-93-21, Resolution No. 380-93

Supervisor Hsieh presented for immediate adoption.

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Works to apply for, accept and expend, as sponsoring agency for the Art Commission, grant funding in the amount of $360,000, waiving indirect costs, from the Transportation Enhancement Activities Program under the Intermodal Surface Transportation Efficiency Act of 1991, for construction of the Embarcadero Promenade Ribbon Project.

File 148-93-5.1, Resolution No. 381-93

Supervisor Hsieh presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy - 7.

Absent: Supervisors Achtenberg, Maher, Migden, Shelley - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Coffeehouses]
Ordinance amending Part II, Chapter II of the San Francisco

Municipal Code (City Planning Code) by amending Section 790.102 to add a new subsection 790.102(n) to add coffeehouses to the category of sales and services, other retail in Neighborhood Commercial Districts; adopting findings pursuant to City Planning Code Section 101.1 (Supervisor Alioto presented.) Referred to Housing and Land Use Committee.

File 115-93-6

[Access to Health Care Facilities]
Ordinance amending Part II, Chapter VIII of the San Francisco Municipal Code (Police Code) by adding Article 43 thereto, relating to harassment of persons seeking access to health care facilities. (Supervisors Shelley, Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Migden presented.) Referred to Health, Public Safety and Environment Committee with request it be considered at its June 8, 1993 meeting.

File 121-93-8

[Fire District Procedure Code]
Amending the San Francisco Public Works Code by enacting a new article 6.2 to authorize the Board of Supervisors to initiate proceedings to establish a Fire Protection Assessment District and to levy annual Fire Protection Assessments. (Supervisor Migden presented.) Referred to Budget Committee.

File 123-93-3.1

[AB 996]
Resolution opposing AB 996 which denies the principle of local control by setting a minimum standard for restricting public smoking and forbidding local action to restrict public smoking beyond the state level. (Supervisor Alioto presented.) Referred to Board June 1, 1993 For Adoption Without Committee Reference Calendar.

File 13-93-19

[Cable TV Rates]
Resolution approving the submission of a Certification Application to the Federal Communications Commission ("FCC") to regulate Cable TV rates and adopt and administer FCC regulations. (Supervisor Bierman presented.) Referred to Board June 1, 1993 For Adoption Without Committee Reference Calendar.

File 32-93-3

Referred to Committee

[High Speed Rail]
Resolution advocating development of high speed rail, with San

Francisco as a key origin/destination, and urging federal, state, and local support for necessary measures and legislation. (Supervisor Hsieh presented.) Referred to Housing and Land Use Committee.

File 171-93-2

Referred to Board

[SFUSD--Surplus Properties]
Resolution urging the Mayor to urge the San Francisco School Board and the San Francisco Unified School District to sell surplus properties. (Supervisor Conroy presented.) Referred to Board June 1, 1993 For Adoption Without Committee Reference Calendar.

File 274-93-2

Referred to Committee

[Transit Maintenance District]
Resolution urging the Mayor to urge the Public Utilities Commission to update studies necessary to support the formation of a core area Transit Maintenance District. (Supervisor Bierman presented.) Referred to Budget Committee.

File 285-93-1

Referred to Board for Public Hearing

[Eminent Domain]
Resolution authorizing acquisition of Assessor's Block 1592, Lot 3, also known as Ocean Beach Parcel 4, for the Richmond Transport Project and open space, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Shelley presented.) Referred to Board on July 6, 1993 for Public Hearing.

File 288-93-1.1

Requests for Hearings:

File 13-93-18, By Supervisor Alioto: To consider legislation to either oppose or support AB 13 relating to smoking. Referred to Health, Public Safety and Environment Committee.

File 30-93-11, By Supervisor Alioto: To consider women's health issues. Referred to Health, Public Safety and Environment Committee.

File 108-93-2, By Supervisor Alioto: To consider HIV and Women. Referred to Health, Public Safety and Environment Committee.

File 127-93-6, By Supervisor Bierman: To consider amending Part III, Article 7 of the San Francisco Municipal Code by adding Section

502.7 thereto to provide a credit for Transient Occupancy Taxes paid to the San Francisco Redevelopment Agency, providing that the credit only apply in connection with the construction and operation of certain children's facilities in Yerba Buena Center, and a Mexican Museum as well as capital improvements to the Moscone Convention Center, providing for Chief Administrative Officer approval of financing plans, authorizing Tax Collector to act as collection agent; amending Section 515 to provide for application of credits. Referred to Budget Committee.

File 286-93-1, By Supervisor Alioto: To consider the feasibility of creating a Hospital Assessment District and the potential revenues such a district could raise. Referred to Budget Committee.

File 287-93-1, By Supervisor Alioto: To consider the feasibility of imposing tobacco, alcohol and/or gasoline taxes in San Francisco. Referred to Budget Committee.

Motions:

Referred to Board

File 288-93-1 [Public Hearing-Eminent Domain] Motion declaring the intention of the Board of Supervisors to hold a public hearing on July 6, 1993 at 3:00 p.m. to consider adopting a resolution of necessity in connection with a proposal to acquire by eminent domain Assessor's Block 1592, Lot 3, also known as Ocean Beach Parcel 4. (Supervisor Shelley presented.) Referred to Board June 1, 1993 For Adoption Without Committee Reference Calendar.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 27-93-10. [Airport - Lease Modifications] Approving Modification No. 4 of Lease and Use Agreement between Delta Air Lines, Inc., and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Government Efficiency and Labor Committee

File 45-93-41. [Settlement of Attorney Fees] Authorizing settlement of appellate attorney's fees and partial settlement of District Court Attorneys' fee litigation in United States (Davis) v. City and County of San Francisco, et al. (City Attorney) Government Efficiency and Labor

File 45-93-42. [Settlement of Lawsuit] Authorizing settlement of litigation of Bruno Samoun against the City and County of San Francisco by payment of $19,995. (City Attorney) Government Efficiency and Labor

File 45-93-43. [Settlement of Lawsuit] Authorizing settlement of litigation of Deborah Lollie-Jackson against the City and County of

San Francisco by payment of $17,500. (City Attorney) Government Efficiency and Labor

Resolutions Referred to Committee

File 25-93-6. [Contracting Out City Services] Approving the Controller's certification that shuttle bus services for San Francisco International Airport can be practically performed by private contractor for a lower cost for the first half of the year commencing July 1, 1993 than if work were performed by City and County employees. (Airports Commission) Government Efficiency and Labor

File 25-93-7. [Contracting Out City Services] Concurring with the Controller's certification that revenue collection services for parking meters of the Department of Parking and Traffic can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic) Government Efficiency and Labor

File 25-93-8. [Contracting Out City Services] Concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Juvenile Probation Department) Government Efficiency and Labor

File 25-93-9. [Contracting Out City Services] Concurring with the Controller's certification that security services can be practically performed at the Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services) Government Efficiency and Labor

File 64-93-8. [Extension of Existing Real Property Lease] Authorizing extension of an existing lease of real property at 1975-99 Bryant Street for the Department of Parking and Traffic. (Real Estate Department) Government Efficiency and Labor

File 64-93-9. [Extension of Existing Real Property Lease] Authorizing extension of an existing lease of real property at 160 South Van Ness Avenue for the Controller's Payroll and Internal Audits Division. (Real Estate Department) Government Efficiency and Labor

File 64-93-10. [Extension of Existing Real Property Lease] Authorizing extension of an existing sublease of 3000 Third Street for the Municipal Railway. (Real Estate Department) Government Efficiency and Labor

File 89-93-5. [State Disability Insurance] Authorizing enrollment of Classifications 9206 Airport Prop. Specialist I, 9207 Airport Prop. Specialist II, 9208 Director, Airport Prop. Management and 9255 Airport Economic Planner in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division) Government Efficiency and Labor

File 148-93-5. [Grant - Federal Funds] Authorizing the Department of Public Works to apply for, accept and expend, as sponsoring agency for the Art Commission, grant funding in the amount of $360,000 from the Transportation Enhancement Activities Program under the Intermodal Surface Transportation Efficiency Act of 1991, for construction of the Embarcadero Promenade Ribbon Project. (Chief Administrative Officer) Government Efficiency and Labor

File 172-93-21. [Contract] Authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with California Youth Authority for diagnostic and treatment services and temporary detention not to exceed 90 days; providing for ratification of action previously taken. (Juvenile Probation Department) Government Efficiency and Labor

File 172-93-22. [Contract] Substitute resolution authorizing the Department of Social Services to enter into a contract with the State Department of Health Services in order to receive incentive payments for identifying and reporting third party health care coverage available to Medi-Cal beneficiaries for the period March 1, 1993 through June 30, 1995 and authorizing the department to retain any incentive payments earned for the purpose of enhancing the Department's Staff Development Programs; providing for ratification of action previously taken. (Department of Social Services) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Hsieh and Alioto, that City Attorney prepare legislation to provide for reimbursement to employers, both private sector and city departments, $1,000 for hiring General Assistance recipients.

By Supervisor Alioto, that City Attorney draft legislation to designate the Korean United Methodist Church at 1123 Powell Street a historical landmark.

By Supervisor Conroy, that letter of inquiry be sent to the Department of Parking and Traffic inquiring about improving the safety of the exit onto Everglade Drive from the Lakeshore Plaza Shopping Center and about improving the traffic congestion created by said exit.

By Supervisor Migden, that letter of inquiry be sent to City Attorney and Registrar of Voters regarding the one-half percent sales tax increase which the Governor would like to have considered on a County by County basis on the November, 1993 ballot. Specifically, to provide: 1) Timelines for consideration, 2) Vote required (majority or 2/3) and 3) How much is available to San Francisco, one-quarter or one-half percent, and whether it is dependent on one-quarter percent School Election in June.

Recessed

The Board, at the hour of 4:34 p.m., recessed to reconvene on Wednesday, May 26, 1993 at 1:30 p.m.

Jean Chew Lum, Acting Clerk

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Wednesday, May 26, 1993 - 1:30 p.m.

The Board of Supervisors of the City and County of San Francisco met in recessed session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 1:41 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Migden - 7.

Noted absent at first roll call:

Supervisors Conroy, Kennedy, Maher, Shelley - 4.

Quorum present.

Supervisor Maher excused, on official leave of absence. (See supra.)

Consideration of Mayor's Disapproval

Tabled

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, Community College District and Unified School District, whose compensations are subject to the provisions of Section 8.400, Section 8.401, and Section 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1993. (Civil Service Commission)

File 106-93-1, Ordinance No.

(April 26, 1993 - Finally Passed
April 30, 1993 - Returned disapproved by Mayor.
May 24, 1993 - Consideration continued to recessed meeting of May 26, 1993.)

Supervisor Hallinan, seconded by Supervisor Bierman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Migden - 6.

Noes: Supervisors Conroy, Hsieh, Kennedy, Maher, Shelley - 5.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Rev. Edward L. Peet (Supervisors Shelley, Hallinan, Bierman)
Becky Durley Glenn (Supervisor Kennedy)
Daniel Klinger (On behalf of the full Board)
Janice Marie Hanson Jackson (Supervisor Kennedy)

File 2-93-21

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 1:46 p.m. adjourned.

John L. Taylor, Clerk

Wednesday, May 26, 1993

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 25, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, June 1, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Bierman, Kennedy, Maher - 3.

Quorum present.

Supervisor Bierman was noted present at 2:08 p.m.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Maher was noted present at 2:20 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Achtenberg, seconded by Supervisor Migden, moved that the Journals of Proceedings for Mondays, December 14 and 21, 1992, be approved.

Motion carried by the following vote:

Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

Farewell to Supervisor Roberta Achtenberg

Mayor Frank Jordan congratulated Supervisor Achtenberg on behalf of the City on her appointment as Assistant Secretary for Fair Housing and Equal Opportunity at the Department of Housing and Urban Development and presented her with a Certificate of Appreciation and Proclamation proclaiming June 1, 1993 as "Supervisor Roberta Achtenberg's Day in San Francisco."

Supervisor Achtenberg gave her farewell speech and thanked her family, friends, associates and staff for all their help and support.

Supervisor Shelley presented Supervisor Achtenberg with a commemorative plaque.

Each member was afforded the opportunity to bid farewell to Supervisor Achtenberg.

(The following three items were taken out of order and acted upon separately.)

Adopted

[Commending Roberta Achtenberg]
Resolution congratulating Supervisor Roberta Achtenberg upon confirmation of her appointment to serve as the Department of Housing and Urban Development's Assistant Secretary for Fair Housing and Equal Opportunity.

File 6-93-14, Resolution No. 495-93

Supervisors Maher, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley presented for immediate adoption.

Supervisor Maher, seconded by Supervisor Shelley, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

The roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

[Commendation]
Resolution commending and honoring Roberta Achtenberg for her distinguished service on the Board of Supervisors of the City and County of San Francisco.

File 6-93-15, Resolution No. 410-93

Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley presented for immediate adoption.

Supervisor Hallinan, seconded by Supervisor Shelley, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

The roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

[Street Closing]
Resolution authorizing temporary closing of portion of Castro Street, between Market Street and 19th Street and 18th Street, between Hartford and Collingwood Streets, Tuesday, June 1, 1993, from 7:30 p.m. to 10:00 p.m. for a community gathering to celebrate the confirmation of Supervisor Roberta Achtenberg as Assistant Secretary for Fair Housing and Equal Opportunity.

File 42-93-22, Resolution No. 409-93

Supervisor Hallinan presented for immediate adoption.

Supervisor Hallinan, seconded by Supervisor Shelley, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

The roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

SPECIAL ORDER - 2:00 P.M.

Referred to Budget Committee

Presentation of the 1993-1994 Budget and its related documents by the Mayor.

File 100-93-1

Mayor Frank Jordan appeared and presented his budget summary for fiscal year 1993-94. (A copy of his message is contained in the file in the office of the Clerk of the Board.)

In response to Supervisor Hallinan, the Assistant Controller stated that the Mayor's budget contains a number of new revenue items and copies of the Mayor's detailed budget and Annual Appropriation Ordinance will be available later today.

The Mayor's annual budget was referred to the Budget Committee.

Request Granted

Supervisor Hallinan requested the City Attorney to provide opinion concerning what action the Board of Supervisors can take if the Mayor refuses to comply with the Charter and deliver a legally balanced budget and Annual Appropriation Ordinance by midnight June 1, 1993 and whether he can balance the budget on proposed tax revenue legislation which have not been adopted.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Government Funding]
Ordinance appropriating $117,947,912, Airports Commission, for various capital improvement projects and bond redemption and rescinding $5,581,450 from the bond reserve payment, for fiscal year 1992-93. (Controller)

File 101-92-68, Ordinance No. 187-93

Finally passed.

[Government Funding]
Ordinance appropriating $64,770,000, Department of Public Works, for various capital improvement projects, for fiscal year 1992-93; placing $38,117,000 on reserve. (Controller)

File 101-92-74, Ordinance No. 188-93

Finally passed.

[Government Funding]
Ordinance appropriating $19,745, Sheriff Department, for services of other departments-Automotive Maintenance-Central Shops, for fiscal year 1992-93. (Controller)

File 101-92-75, Ordinance No. 189-93

Finally passed.

[Government Funding]
Ordinance appropriating $173,000, Chief Administrative Officer, for various program project budget (City Attorney and Chief Administrative Officer), for fiscal year 1992-93. (Controller)

File 101-92-76, Ordinance No. 190-93

Finally passed.

[Government Funding]
Ordinance appropriating $77,000, Chief Administrative Officer, for various program project budget (City Attorney and Chief Administrative Officer), for fiscal year 1992-93. (Controller)

File 101-92-77, Ordinance No. 191-93

Finally passed.

[Government Funding]
Ordinance appropriating $230,000, Chief Administrative Officer, for various program project budget (City Attorney and Chief Administrative Officer), for fiscal year 1992-93. (Controller)

File 101-92-78, Ordinance No. 192-93

Finally passed.

[Government Funding]
Ordinance rescinding $1,000,000 equity transfer to the General Fund and reappropriating to the Port Commission Operating Fund, for fiscal year 1992-93. (Controller)

File 101-92-80, Ordinance No. 193-93

Finally passed.

[Government Funding]
Ordinance appropriating $1,438,506, Sheriff, for capital improvement project (New Sheriff's Facility), for fiscal year 1992-93. (Controller)

File 101-92-83, Ordinance No. 194-93

Finally passed.

[Revolving Fund]
Ordinance amending Administrative Code, to reduce Port Commission Revolving Fund to $60,000. (Port)

File 97-93-24, Ordinance No. 185-93

(Amends Section 10.169.)

Finally passed.

[Rent Fee]
Ordinance amending Administrative Code, to increase the Residential Rent Stabilization and Arbitration Fee from eight to ten dollars. (Supervisor Migden)

File 97-93-26, Ordinance No. 186-93

(Amends Section 37A.2(d).)

Finally passed.

Passed for Second Reading

[Government Funding]
Ordinance appropriating $1,604,362, Police Department, for capital improvement project (police facilities), for fiscal year 1992-93. (Controller)

File 101-92-81, Ordinance No.

Passed for second reading.

[Government Funding]
Ordinance appropriating $197,000, Chief Administrative Officer, for various purposes, for fiscal year 1992-93. (Controller)

File 101-92-82, Ordinance No.

Passed for second reading.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport - Lease Modifications]
Ordinance approving Modification No. 6 of Lease and Use Agreement between USAir, Inc., and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-93-9, Ordinance No. 168-93

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Cynthia Y. Cantero v. Officer Willis Casey, and City and County, by payment of $12,000. (City Attorney)

File 45-93-23, Ordinance No. 169-93

(U.S.D.C. No. C91-1764.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Bettina Heath against Juvenile Hall, Youth Guidance center, Juvenile Court, City and County, James Sutro, and Does I through XX, inclusive for $90,500. (City Attorney)

File 45-93-24, Ordinance No. 170-93

(Superior Court No. 919-454.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Michael Quevillion against City and County, by payment of $13,500. (City Attorney)

File 45-93-25, Ordinance No. 171-93

(U.S.D. Court No. C91-0691.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Great Western Savings in the sum of $1,896,468.51 (consisting of $1,364,203.00 in tax refunds and $532,265.51 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney)

File 45-93-26, Ordinance No. 172-93

(Superior Court No. 815-223.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of American Savings Bank, F.A. and New West Federal Savings and Loan Association in the sum of $2,391,273.73 (consisting of $1,904,677.15 in tax refunds and $486,596.58 in interest) to be paid in ten equal annual installments at seven percent per annum in interest and over the ten-year period. (City Attorney)

File 45-93-27, Ordinance No. 173-93

(Superior Court No. 941-478.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Citibank, a Federal Savings Bank (formerly Citicorp Savings) in the sum of $1,177,285.16 (consisting of $941,661.88 in tax refunds and $235,623.28 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney)

File 45-93-28, Ordinance No. 174-93

(Superior Court No. 948-296.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Southern California Federal Savings & Loan Association (formerly Southern California Savings and Loan Association) in the sum of $172,975.57 (consisting

of $134,842.96 in tax refunds and $38,132.61 in interest) to be paid in four equal annual installments. (City Attorney)

File 45-93-29, Ordinance No. 175-93

(Superior Court No. 815-223.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Glendale Federal Bank, a Federal Savings Bank (formerly Glendale Federal Savings and Loan Association) in the sum of $644,655.72 (consisting of $494,554.24 in tax refunds and $150,101.48 in interest) to be paid in four equal annual installments. (City Attorney)

File 45-93-30, Ordinance No. 176-93

(Superior Court No. 948-297.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of United Savings Bank, a Federal Savings Bank in the sum of $825,313.89 (consisting of $650,658.19 in tax refunds plus $174,655.70 in interest) to be paid in four equal annual installments. (City Attorney)

File 45-93-31, Ordinance No. 177-93

(Superior Court No. 948-299.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of United Savings Bank, a Federal Savings Bank, as successor in interest to Golden Coin Savings and Loan Association in the sum of $326,399.05 (consisting of $253,623.85 in tax refunds and $72,775.20 in interest) to be paid in four equal annual installments plus statutory interest. (City Attorney)

File 45-93-32, Ordinance No. 178-93

(Superior Court No. 948-300.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Coast Federal Bank in the sum of $961,485.57 (consisting of $703,038.20 in tax refunds and $258,447.37 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney)

File 45-93-33, Ordinance No. 179-93

(Superior Court No. 948-298.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of California Federal Bank in the sum of $1,119,749.10 (consisting of $831,410.84 in tax refunds and $288,338.26 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney)

File 45-93-34, Ordinance No. 180-93

(Superior Court No. 948-295.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of San Francisco Federal Savings & Loan in the sum of $1,202,718.79 (including $948,933.00 in tax refunds and $253,785.79 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney)

File 45-93-35, Ordinance No. 181-93

(Superior Court No. 940-841.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Home Savings of America, F.A. in the sum of $1,738,814.82 (consisting of $1,228,201.03 in tax refunds and $510,613.79 in interest) to be paid in ten equal annual installments at seven percent per annum interest over the ten-year period. (City Attorney)

File 45-93-36, Ordinance No. 182-93

(Superior Court No. 840-952.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of 1st Nationwide Bank, a Federal Savings Bank (formerly 1st Nationwide Savings) in the sum of $3,149,870.70 (consisting of $2,565,609.75 in tax refunds and $584,260.95 in interest) to be paid in ten equal annual installments at seven percent per annum in interest over the ten-year period. (City Attorney)

File 45-93-37, Ordinance No. 183-93

(Superior Court No. 948-294.)

Finally passed.

[Commercial Lease Documents]
Ordinance approving and adopting Polk-Bush Garage commercial lease legal documents and authorization for lease agreement. (Real Estate Department)

File 47-93-3, Ordinance No. 184-93

Finally passed.

[Parking and Traffic]
Ordinance amending Administrative Code, relating to hold harmless agreements between the Department of Parking and Traffic and governmental agencies for receipt of transportation grant funds. (Department of Parking and Traffic)

File 97-93-23, Ordinance No. 167-93

(Adds Section 1.41.)

Finally passed.

[Benefits for Fire Department Chief and Deputy Chief]
Ordinance approving the provision of health benefits equal to those provided to Firefighters to Classifications 0140 Chief of Department and 0150 Deputy Chief conditional on the signing of waiver regarding the 1991-92 wage freeze; providing for ratification of action previously taken. (Mayor)

File 105-93-2, Ordinance No. 195-93

Finally passed.

[Benefits for Police Department Chief]
Ordinance approving the provision of health benefits equal to those

provided to Q2 Police Officers to Classification 0390 Police Chief conditional on the signing of waiver regarding the 1991-92 wage freeze; providing for ratification of action previously taken. (Mayor)

File 105-93-3, Ordinance No. 196-93

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Parking and Traffic]
Ordinance amending Traffic Code, relating to the denomination of coins and length of parking time allowed at parking meters. (Supervisors Shelley, Kaufman)

File 124-93-3, Ordinance No. 197-93

(Amends Section 203.)

Finally passed.

Adopted

[Stop Intersections]
Resolution designating certain intersections as "Stop" intersections. (Housing and Land Use Committee)

File 18-93-4, Resolution No. 414-93

(Stop Signs - Establish

5th Avenue and Hugo Street, northwest and southeast corners, stopping 5th Avenue traffic (makes this an all-way Stop)

19th and Texas Streets, all corners, stopping all approaches (presently uncontrolled);

Felton Street and San Bruno Avenue, southwest corner, stopping Felton Street traffic (presently uncontrolled, stops the stem of this T-intersection);

Silliman and Princeton Streets, northeast and southwest corners, stopping Silliman Street traffic (makes this an all-way Stop);

Silver Avenue and Amherst Street, southeast corner, stopping Amherst Street traffic (presently uncontrolled, stops the stem of this T-intersection);

Silver Avenue and Yale Street, southeast corner, stopping Yale Street traffic (presently uncontrolled, stops the stem of this T-intersection);

Felton and Amherst Streets, northeast and southwest corners, stopping Felton Street traffic (makes this an all-way Stop);

Felton and Harvard Streets, northeast and southwest corners, stopping Felton Street traffic (makes this an all-way Stop);

Williams Avenue and Reddy Streets, all corners, stopping all approaches (makes this three-legged intersection an all-way Stop);

8th and 16th Streets, northwest corner, stopping 8th Street traffic (presently uncontrolled).

Adopted.

[Stop Intersections]
Resolution enacting and rescinding parking regulations on various streets. (Housing and Land Use Committee)

File 19-93-4, Resolution No. 415-93

(Diagonal (45-Degree) Parking - Establish

Harrison Street, west side, between Alameda and Mistral Streets. Harrison Street, west side, from 150 feet south of Mistral Street to 22nd Street.

Motorcycle Parking Only (Unmetered) - Establish

Phelan Avenue, east side, from 30 feet to 72 feet south of north end of Cloud Hall Circle (Extends existing motorcycle parking zone by 42 feet to accommodate 12 additional stalls).

No Parking Any Time - Rescind

Colin P. Kelly, Jr. Street, west side, from Townsend Street to 263 feet northerly (263-foot zone).

Tow-Away, No Parking Any Time - Establish

Seward Street, south side, from Douglass Street to 97 feet westerly (97-foot zone, replacing existing red zone).

Adopted.

[Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-93-4, Resolution No. 416-93

(Tow-Away, No Stopping Any Time - Establish

San Jose Avenue, east side, from Theresa Street to 25 feet southerly (25-foot zone);

Powell Street, west side, from Sutter Street to 74 feet southerly (74-foot zone, replacing existing red zone).

No Right Turn - Rescind
No Right Turn, Monday through Friday, 7 a.m. - 9 a.m. and 4 p.m. -6 p.m. - Establish

Fremont Street, northbound, at Market Street.

No Right Turn after Candlestick Events - Establish

Jamestown Avenue, westbound at Griffith Street;
Jamestown Avenue, westbound at Hawes Street;
Jamestown Avenue, westbound at Redondo Street;
Jamestown Avenue, westbound at Ingalls Street;
Jamestown Avenue, westbound at Jennings Street.

No Left Turn after Candlestick Events - Establish

Gilman Avenue, westbound at Hawes Street;
Gilman Avenue, westbound at Ingalls Street;
Gilman Avenue, westbound at Jennings Street;
Gilman Avenue, westbound at 3rd Street;
Paul Avenue, eastbound at 3rd Street;
3rd Street, southbound at Gilman Street;
Redondo Street, northbound at Ingerson Avenue.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget and
Economic Vitality and Social Policy Committees

Passed for Second Reading as Amended

[New Jobs Tax Credits]
Ordinance amending Part III of the Municipal Code, to add credits for

newly created jobs to offset business tax and payroll expense tax liabilities. (Supervisors Kaufman, Alioto, Kennedy, Shelley)

File 127-93-2, Ordinance No.

(Adds Sections 906B and 1005.6.)

(Fiscal Impact.)

Supervisor Kaufman, seconded by Supervisor Maher, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Maher, Migden, Shelley - 7.

Noes: Supervisor Hallinan - 1.

Absent: Supervisors Achtenberg, Conroy, Kennedy - 3.

In connection with the above item, Supervisor Conroy requested her name be removed as co-sponsor and Supervisor Shelley requested to be added as co-sponsor.

Passed for Second Reading

[Enterprise Zone, Tax Credit]
Ordinance amending Part III of the Municipal Code (Payroll Expense Tax Ordinance), by increasing tax credits for persons who maintain a fixed place of business within the San Francisco Enterprise Zone and who create new jobs and hire employees qualified under specified government jobs programs; and amending (Business Tax Ordinance) by increasing tax credits for persons who maintain a fixed place of business within the San Francisco Enterprise Zone and who create new jobs and hire employees qualified under specified government jobs programs. (Supervisors Kaufman, Alioto, Kennedy, Shelley)

File 127-93-3, Ordinance No.

(Amends Sections 906A and Section 1005.5.)

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Maher, Migden, Shelley - 7.

Noes: Supervisor Hallinan - 1.

Absent: Supervisors Achtenberg, Conroy, Kennedy - 3.

In connection with the above item, Supervisor Conroy requested her name be removed as co-sponsor and Supervisor Shelley requested to be added as co-sponsor.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $562,500, Water Department, for permanent salaries and mandatory fringe benefits and services of other departments-Light, Heat and Power and rescinding $562,500 from permanent salaries and related mandatory fringe benefits, for the creation of three positions and deletion of three positions, for fiscal year 1992-93. (Controller)

File 101-92-79, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Kennedy - 3.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1992-93, Water Department, reflecting the addition of three positions; companion measure to File 101-92-79. (Civil Service Commission)

File 102-92-17, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Kennedy - 3.

[Government Funding]
Ordinance appropriating and certifying $21,901, Department of Public Works, for various capital improvement projects to cover ten percent

overage as per Charter Section 7.203, providing for ratification of action previously taken, for fiscal year 1992-93. (Controller)

File 101-92-84, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Kennedy - 3.

[Government Funding]
Ordinance appropriating $25,000, Commission on the Status of Women, for program project budget (Sexual Harassment), for fiscal year 1992-93; placing $25,000 on reserve. (Controller)

File 101-92-85, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Kennedy - 3.

Recommendations of Health, Public Safety and Environment Committee

Adopted

[Managed Care]
Resolution advising the State of California's Department of Health Services of the City and County of San Francisco's interest in maintaining its options under the State's managed care initiative; and endorsing a planning process for implementation. (Supervisor Shelley)

File 12-93-3.1, Resolution No. 412-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Kennedy - 3.

[Master Plan to Reduce Alcohol and Drug Use, Part I]
Resolution approving the San Francisco Master Plan; reducing the problems caused by alcohol and other drugs (Part I Needs Assessment Findings and Recommendations) for the term July 1, 1993 through June

30, 1996 as prepared by the Department of Public Health, Division of Mental Health and Substance Abuse Service for submission to the State of California, Department of Alcohol and Drug Programs; authorizing and directing the President of the Board to sign said plan. (Department of Public Health)

File 30-93-8, Resolution No. 417-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Kennedy - 3.

Recommendations of Housing and Land Use Committee

Adopted

[Enforce and Expand "Don't Block The Box"]
Resolution urging the Mayor to urge the Parking and Traffic Commission to enforce and expand the "Don't Block the Box Program". (Supervisor Maher)

File 190-93-3, Resolution No. 444-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Kennedy - 3.

Adopted as Amended

[Expanding Metered Yellow Zones in the Downtown Core]
Resolution urging the Mayor to urge the Parking and Traffic Commission to expand metered yellow zones in the downtown core to Van Ness and South of Market, following consultation with affected merchant associations, and to urge the Parking and Traffic Commission and the Police Commission vigorously to cite non-commercial vehicles illegally parked in yellow zones as well as commercial vehicles parked illegally in yellow zones all day. (Supervisor Maher)

File 190-93-4, Resolution No. 445-93

Supervisor Maher, seconded by Supervisor Hsieh, moved to amend title, line four, after "Market," and line 24, after "Market," by inserting "following consultation with affected merchant associations,".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Consideration Continued

[Manual Traffic Control in Downtown Core]
Resolution declaring the policy of the City and County that it is essential to San Francisco's Transit Plan to have manual traffic control in the City's busiest intersections in the downtown core of the City during periods of peak evening traffic. (Supervisor Maher)

File 190-93-5, Resolution No.

Supervisor Maher, seconded by Supervisor Migden, moved to continue consideration to June 28, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Conroy, Hsieh, Kennedy - 4.

[Hiring Additional Parking Control Officers]
Resolution urging the Mayor to urge the Parking and Traffic Commission to take all steps necessary to hire twenty-four to thirty-six additional parking control officers whose primary function would be the control of traffic in heavily used intersections in the City during periods of peak evening traffic. (Supervisor Maher)

File 190-93-5.1, Resolution No.

Supervisor Maher, seconded by Supervisor Migden, moved to continue consideration to June 28, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Conroy, Hsieh, Kennedy - 4.

[Increasing Double Parking Bail to $100]
Resolution urging the Municipal Court to increase the bail for double parking violations from $43 and $50 to $100, to be effective after the City has increased the number of metered yellow zones in the downtown core, which task should be completed by January 1, 1994; directing the Clerk to transmit a copy of this resolution to the Municipal Court; and urging the Mayor to urge the Parking and Traffic Commission and the Police Commission to place a high priority on vigorously citing violators of double parking prohibitions, especially during periods of peak evening traffic. (Supervisor Maher)

File 237-93-2, Resolution No.

Supervisor Maher, seconded by Supervisor Kaufman, moved to continue consideration to June 7, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Kaufman, Maher, Migden, Shelley - 6.

Noes: Supervisor Hallinan - 1.

Absent: Supervisors Achtenberg, Conroy, Hsieh, Kennedy - 4.

Recommendation of Economic Vitality and Social Policy Committee

Adopted

[Federal Funding for Local Public Service Jobs]
Resolution endorsing a Federal Jobs Program which would appropriate new federal funds to create new public service jobs and would guarantee every adult the opportunity to work at a living wage. (Supervisor Kennedy)

File 13-93-10, Resolution No. 411-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Hsieh, Kennedy - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Emperor Arcadia;
Louise Vaughn;
Marie;

President, Potrero Hill Resident Management Corp.;
Representative, Walden House;
Espanola Jackson;
Margaret Verges;
Cathy Perry;
Mark, Walden House;
R. J. Hampton;
Salem Jackson;
Dehnert Queen.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Cable TV Rates]
Resolution approving the submission of a Certification Application to the Federal Communications Commission ("FCC") to regulate Cable TV rates and adopt and administer FCC regulations. (Supervisor Bierman)

File 32-93-3, Resolution No.

(May 24, 1993 - Introduced in Board for consideration on June 1, 1993.)

Supervisor Bierman stated that Supervisor Migden requested that this item be sent to committee. Referred to Government Efficiency and Labor Committee.

Supervisor Hallinan requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[SFUSD-Surplus Properties]

Resolution urging the Mayor to urge the San Francisco School Board and the San Francisco Unified School District to sell surplus properties. (Supervisor Conroy)

File 274-93-2, Resolution No.

(May 24, 1993 - Introduced in Board for consideration on June 1, 1993.)

At the request of Supervisor Hallinan, referred to Budget Committee.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Reference to Committee Calendar

Adopted

[Nuclear Test Ban]
Resolution declaring support of the Board of Supervisors of the City and County of San Francisco and urging the President of the United States to continue the nuclear weapons testing moratorium. (Supervisors Bierman, Hallinan, Migden, Alioto, Shelley)

File 13-93-17, Resolution No. 421-93

(May 17, 1993 - Introduced in Board for consideration on June 1, 1993.)

Adopted.

In connection with the above item, Supervisors Hallinan, Migden, Alioto, Shelley requested to be added as co-sponsors.

[AB 996]
Resolution opposing AB 996 which denies the principle of local control by setting a minimum standard for restricting public smoking and forbidding local action to restrict public smoking beyond the state level. (Supervisor Alioto)

File 13-93-19, Resolution No. 413-93

(May 24, 1993 - Introduced in Board for consideration on June 1, 1993.)

Adopted.

[Public Hearing-Eminent Domain]
Motion declaring the intention of the Board of Supervisors to hold a public hearing on July 6, 1993 at 3:00 p.m. to consider adopting a resolution of necessity in connection with a proposal to acquire by eminent domain Assessor's Block 1592, Lot 3, also known as Ocean Beach Parcel 4. (Supervisor Shelley)

File 288-93-1

(May 24, 1993 - Introduced in Board for consideration on June 1, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Conroy, Hsieh, Kennedy, Maher - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Ballot Pamphlet Materials]
Ordinance amending Administrative Code Sections 5.70, 5.71, 5.71-1, 5.73, 5.74.2, 5.74.3, 5.74.5, 5.74.8, 5.74.9, 5.74.10, 5.75, 5.76, 5.77-2 and 5.78 through 5.80 relating to the Ballot Simplification Committee and preparation of ballot pamphlet materials. (Supervisor Bierman presented.) Referred to Rules Committee.

File 97-93-32

[Rent Ordinance]
Ordinance amending Administrative Code Sections 37.2 and 37.3 to permit a landlord to passthrough to tenants a portion of assessments imposed as a result of the implementation of a fire protection assessment district, to provide that such passthroughs will not effect a tenant's base rent and to provide that such passthroughs are not rent increases. (Supervisor Conroy presented.) Referred to Housing and Land Use Committee.

File 109-93-5

[Cafe Tables and Chairs]
Substitute ordinance amending Public Works Code by deleting Sections 176 through 182 and by adding new Sections 176 through 185, authorizing the Director of the Department of Public Works to issue sidewalk cafe permits; requiring owners or operators of business establishments seeking to occupy a portion of a public sidewalk, court, alley or street with tables and chairs for customers to obtain a cafe tables and chairs permit; authorizing the Director of the Department of Public Works to establish guidelines for cafe tables and chairs; requiring permit applicants to post notice of intent to place cafe tables and chairs on the business premises; establishing process for protest and appeal of denial of permit; setting conditions and restrictions on permits; providing for suspension or revocation of permits; establishing penalties and remedies for failure to comply with said Article. (Supervisor Alioto presented.) Referred to Housing and Land Use Committee.

File 123-93-1

[Business Tax]
Ordinance amending Part III, Municipal Code by amending Section 1004.17 and adding Section 1004.18 to establish a new business classification for passenger vehicle rental businesses and to increase the tax rate from .3 percent to 7.0 percent for this classification as of September 1, 1993. (Supervisor Migden presented.) Referred to Budget Committee.

File 127-93-7

[Parking Tax]
Ordinance amending Part III, Municipal Code, by repealing Section 602.5-2 to terminate the suspension of one-half of the ten percent parking tax surcharge and amending Sections 608 and 609 to change the payment and reporting periods for the parking tax from quarterly to monthly. (Supervisor Migden presented.) Referred to Budget Committee.

File 127-93-8

Referred to Board

[Haiti]
Resolution urging the Mayor to urge President Bill Clinton and the United States Congress to use all available means to achieve the return to democracy in Haiti and to assist in fully restoring President Aristide to his office as the duly elected leader of Haiti. (Supervisor Alioto presented on behalf of Supervisor Kennedy.) Referred to Board June 7, 1993 For Adoption Without Committee Reference Calendar.

File 13-93-20

Referred to Committee

[Funding, Substance Abuse Services]
Resolution declaring the intent of the Board of Supervisors to appropriate $400,000 from funds paid by the City in jail overcrowding fines paid pursuant to the court order issued in City and County of San Francisco v Stone for use in conjunction with grant funds from the United States Department of Health and Human Services for a program of community substance abuse treatment services designed to decrease the jail population. (Supervisor Migden presented.) Referred to Budget Committee with request it be considered at the June 16, 1993 meeting.

File 152-93-2

[Parolees]
Resolution urging the Mayor to work with our State Lobbyist on the problem of the increasing parolee population in San Francisco and to investigate the possible introduction of legislation by the City's State Representatives to return parolees to their place of longtime residence as opposed to their place of arrest. (Supervisor Conroy presented.) Referred to Health, Public Safety and Environment Committee.

File 238-93-2

[Tax and Revenue Anticipation Notes]
Resolution approving and authorizing the borrowing of funds for fiscal year 1992-1993; the issuance and sale of City and County of San Francisco, California, 1992-1993 Tax and Revenue Anticipation Notes therefor; and authorizing other official actions in connection therewith. (Supervisor Migden presented.) Referred to Budget Committee with request it be considered at the June 9, 1993 meeting.

File 239-93-2

Suspension of the Rules

Supervisor Conroy, seconded by Supervisor Hallinan, moved that the time limits prescribed in Rule 5.5 of the Rules of Order of the Board of Supervisors be suspended to permit introduction of the following Charter amendment.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Referred to Committee

[Ballot Measure]
Charter amendment (Skeletal) amending Sections 8.590-1 through 8.590-7, 8.401, 8.403, 8.404, 8.405, 8.406, 8.407, 8.408, 8.409 through 8.409-7, relating to compensation, working conditions and collective bargaining rights of city and county employees. (Supervisor Conroy presented.) Referred to Rules Committee.

File 280-93-1

Requests for Hearings:

File 56-93-4, By Supervisor Alioto on behalf of Supervisor Kennedy: To consider amending the Rules of Order of the Board of Supervisors Rule 1.14 to designate the President of the Board as an ex-officio officer of all committees of the Board of Supervisors, including select committees. Referred to Rules Committee.

File 75-93-1, By Supervisor Maher: To consider urging the Department of Public Works, working in conjunction with the community, to find a street, preferably in the Mission District, to name after Cesar Chavez. Referred to Housing and Land Use Committee.

File 100-93-2.1, By Supervisor Migden: To consider report by the Mayor and Controller on the status of the 1993-94 proposed budget. Referred to Budget Committee with request it be considered at the June 2, 1993 meeting.

File 101-93-3, By Supervisor Migden: To consider the City Attorney's opinion relating to the power of the Board of Supervisors to place reserves on appropriations. Referred to Budget Committee with request it be considered at the June 2, 1993 meeting.

File 281-93-1, By Supervisor Shelley: To consider establishing a taxing authority consisting of representatives from the Board of Supervisors, Mayor, Chief Administrative Officer and the Controller in order to develop a proposed expenditure plan for funds accrued from extension of the 1/2 cent sales tax. Referred to Budget Committee.

File 185-93-1, By Supervisor Alioto on behalf of Supervisor Kennedy: To consider the status of expenditures from the Children's Services Plan allocated to departments and community based organizations. Referred to Economic Vitality and Social Policy Committee with request it be considered at the June 8, 1993 meeting.

Motion

Referred to Board

[Needle Exchange]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto presented.) Referred to Board June 7, 1993 For Adoption Without Committee Reference Calendar.

File 30-93-5.6

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 34-93-4. [Width of Sidewalk] Amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1511 changing the official widths of sidewalk on the northeast corner of Brannan and Eighth Streets; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Housing and Land Use

File 45-93-44. [Settlement of Lawsuit] Authorizing settlement of litigation of Sinforosa Acuna against the San Francisco Fire Department by payment of $20,000. (City Attorney) Government Efficiency and Labor

File 45-93-45. [Settlement of Lawsuit] Authorizing settlement of litigation of William Hulburt against the City and County of San Francisco by payment of $15,675 and waiver of medical lien of $8,396.23. (City Attorney) Government Efficiency and Labor

File 46-93-9. [Settlement of Lawsuit] Authorizing settlement of Daniel Hubbard and Karen Hubbard v. American Rubber Manufacturing Company, Inc., et al., upon receipt of the sum of $5,000 and a compromise and release and dismissal of complaint. (City Attorney) Government Efficiency and Labor

File 164-93-1.1. [Street Vacation] Ordering vacation and sale of a portion of Yosemite Avenue south of Williams Avenue and a portion of Armstrong Avenue east of Newhall Street; and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 164-93-1. (Real Estate Department) Housing and Land Use

Resolutions Referred to Committee

File 30-92-4.2. [AB 75 Capital Outlay Plan] Authorizing amendment to the AB 75 Capital Outlay Plan for the City and County of San Francisco, as adopted by Resolutions No. 125-91 and 822-91 to revise one San Francisco Department of Public Health/Mental Health Services Project, and to add one San Francisco DPH/Mental Health Services Projects. (Also see Files 146-91-4, 146-91-4.2, 30-92-4 and 30-92-4.1) (Department of Public Health) Government Efficiency and Labor

File 25-93-10. [Contracting Out City Services] Approving the Controller's certification that the San Francisco "O.R." Project for the City and County of San Francisco can practically be performed by private contraction at a lower cost for the year commencing July 1, 1993 than if work were performed by City and County employees. (Sheriff Department) Government Efficiency and Labor

File 25-93-11. [Contracting Out City Services] Approving the Controller's certification that the Pretrial Diversion Program for the City and County of San Francisco can practically be performed by

private contraction at a lower cost for the year commencing July 1, 1993 than if work were performed by City and County employees. (Sheriff Department) Government Efficiency and Labor

File 25-93-12. [Contracting Out City Services] Approving the Controller's certification that the Eviction Assistance Program for the City and County of San Francisco can practically be performed by private contraction at a lower cost for the year commencing July 1, 1993 than if work were performed by City and County employees. (Sheriff Department) Government Efficiency and Labor

File 25-93-13. [Contracting Out City Services] Approving the Controller's certification that County Jail Food Management Operations for the City and County of San Francisco can practically be performed by private contraction at a lower cost for the year commencing July 1, 1993 than if work were performed by City and County employees. (Sheriff Department) Government Efficiency and Labor

File 25-93-14. [Contracting Out City Services] Concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract for a lower cost than similar work services performed by City and County employees. (District Attorney) Government Efficiency and Labor

File 27-93-11. [Airport Administration] Approving Airport Contract No. 3249, approving a declaration of emergency, emergency asbestos removal, lower roadway lights, San Francisco International Airport - $105,000. (Airports Commission) Budget

File 40-93-4. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "P" in the Anza Vista/Beideman area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Housing and Land Use

File 68-93-5. [Summer Food Program] Authorizing the Mayor to apply for, accept and expend $950,000 from the United States Department of Agriculture (USDA) to sponsor the Summer Food Service Program for needy children. (Mayor's Office of Children, Youth and Their Families) Government Efficiency and Labor

File 89-93-6. [State Disability Insurance] Authorizing enrollment of Classification 8151 Claims Investigator in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division) Government Efficiency and Labor

File 142-93-2. [Water Rates - Finding] Making a finding that no tax subsidy will be required by the San Francisco Water Department by reason of approval of a proposed revised schedule of rates to be charged by the San Francisco Water Department for water supplied to its suburban resale customers; companion measure to Files 142-92-2.1 and 142-93-2.2. (Public Utilities Commission) To Budget Committee with direction to report back to the Board June 14, 1993.

File 142-93-2.1. [Water Rates] Approving revised schedule of rates to be charged by the San Francisco Water Department for water service and water supplied to its suburban resale customers; companion measure to Files 142-93-2 and 142-93-2.2. (Public Utilities Commission). To Budget Committee with direction to report back to the Board June 14, 1993.

File 142-93-2.2. [Water Rates] Disapproving revised schedule of rates to be charged by the San Francisco Water Department for water service and water supplied to its suburban resale customers; companion measure to Files 142-93-2 and 142-93-2.1 (Public Utilities Commission). To Budget Committee with direction to report back to the Board June 14, 1993.

File 142-93-3. [Water Rates - Finding] Making a finding that no tax subsidy will be required by the San Francisco Water Department by reason of approval of a proposed schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-93-3.1 and 142-93-3.2. (Public Utilities Commission) To Budget Committee with direction to report back to the Board June 14, 1993.

File 142-93-3.1. [Water Rates] Approving revised schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-93-3 and 142-93-3.2. (Public Utilities Commission) To Budget Committee with direction to report back to the Board June 14, 1993.

File 142-93-3.2. [Water Rates] Disapproving revised schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-92-3 and 142-93-3.1. (Public Utilities Commission) To Budget Committee with direction to report back to the Board June 14, 1993.

File 146-93-26. [Grant - Private Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a grant of $155,126, which includes indirect costs in the amount of $12,459 based on twelve percent of salaries from the University of California at Berkeley, Office of the President, to conduct the Tobacco-Related Disease in HIV-Infected Men Research Project; providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 153-93-2. [Grant - Federal Funds] Authorizing the Department of Social Services to apply for a federal grant in the amount of $100,000 which includes indirect cost of $5,660 from the U.S. Department of Agriculture, Food and Nutrition Service, for Food Stamp Outreach and Client Assistance Services; providing for ratification of action previously taken. (Department of Social Services) Government Efficiency and Labor

File 156-93-1. [Federal Funding] Approving a two-month extension of refugee employment and training contracts, and approving amendment of the San Francisco County Plan, to reflect those extensions. (Private Industry Council) Government Efficiency and Labor

File 164-93-1. [Street Vacation] Declaration of intention of Board of Supervisors to vacate and sell a portion of Yosemite Avenue south of Williams Avenue and a portion of Armstrong Avenue east of Newhall Street; and setting the hearing for all persons interested in the proposed vacation and sale; companion measure to File 164-93-1.1 (Real Estate Department) Housing and Land Use

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to Director of Health to determine whether notices can be sent to each person who is or has in the past taken part in the Catastrophic Illness Program to advise them of hearing in the Government Efficiency and Labor Committee on Wednesday, June 16, 1993 and 2:00 p.m. to consider administration of the catastrophic illness program relating to hours donated, employees work status and earned sick leave credit and application process.

By Supervisor Conroy, that letter be sent to Director of Airport inquiring about the criteria used in the selection process for work on Phase I, Airport Master Plan Program.

By Supervisor Conroy, that letter of inquiry be sent to Director of Health in reference to earlier request dated April 1, 1993 concerning California Medical Assistance Commission Fund to determine the status and amount of the additional State reimbursement for which the Board approved a supplemental appropriation in the amount of $12 million to the California Medical Assistance Commission Fund.

By Supervisor Shelley, that letters of inquiry be sent the Honorable Police Commission and Commission on the Aging to determine how they intend to continue to provide service to those currently served by the Senior Escort Service, what are the costs associated with the Police Commission continuing to provide this service, what are the costs associated with the Commission on the Aging providing service and how they intend to provide for the safety concerns of the elderly.

By Supervisor Shelley, that City Attorney prepare legislation which would create a tax authority consisting of representatives from the Board of Supervisors, Mayor, Chief Administrative Officer and the Controller in order to develop a proposed expenditure plan for funds accrued from extension of the 1/2 cent sales tax.

By Supervisor Alioto, that City Attorney prepare resolution to urge the Mayor to negotiate with the Police Officers Association to seek changes in the agreement with the Association which would help ease the budget problems facing the City this year.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Ettore Peverada (Supervisor Maher)
David Karp (Supervisor Hsieh)
Richard Chamberlain (Supervisor Achtenberg)
Anita Kahn (Supervisor Kaufman)

File 2-93-22

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:18 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on October 25, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 88 No. 23

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Monday, June 7, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 7, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Noted absent at first roll call:

Supervisors Bierman, Maher - 2.

Quorum present.

Supervisor Bierman excused, on official leave of absence.

Supervisor Maher was noted present at 2:10 p.m.

COMMUNICATION

The Clerk presented the following communications:

Supervisor Achtenberg Resigns

June 1, 1993

Mr. John Taylor
Clerk of the Board of Supervisors
City Hall, Room 235
San Francisco, CA 94102

Dear Mr. Taylor:

I hereby resign as a member of the Board of Supervisors of the City and County of San Francisco effective at the close of business on Wednesday, June 2, 1993.

Sincerely

/s/Roberta Achtenberg

Supervisor Leal Appointed

June 7, 1993

Mr. John Taylor
Clerk of the Board of Supervisors
City Hall, Room 235
San Francisco, CA 94102

Dear John:

Please be advised that in accordance with Charter Section 3.100, I have appointed Susan Leal as a member of the Board of Supervisors, effective today, for the unexpired term of Roberta Achtenberg.

Sincerely

/s/Frank Jordan

June 7, 1993

The Honorable Board of Supervisors
City and County of San Francisco
City Hall, Room 235
San Francisco, CA 94102

Ladies and Gentlemen:

This is to inform you that a recorded bond is on file for the following named member of the Board of Supervisors for the period commencing June 7, 1993: Susan Leal.

Very truly yours

/s/Edward Harrington

The Clerk indicated an oath of office statement has been filed with the County Clerk-Recorder on June 7, 1993 indicated that Mayor Frank M. Jordan has sworn in Susan Leal as member of the San Francisco County Transportation Authority and member of the Board of Supervisors for the City and County of San Francisco for the term expiring January 8, 1995.

President Angela Alioto, on behalf of the entire Board, extended a heart-felt welcome to Supervisor Leal.

Presentation of Guest
Suspension of the Rules

At the request of Supervisor Shelley, Supervisor Migden, seconded by Supervisor Hsieh, moved to suspend the Rules of Order of the Board of Supervisors in order for introduction and presentation of a certificate of honor.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

Supervisor Shelley introduced and welcomed Mr. Sanford Chandler and presented him with a Certificate of Honor commending him upon his retirement from teaching at George Washington High School.

Consideration Continued

[SEIU Interest Arbitration Decision]
Communication from Mayor appealing the decision of the Mediation/Arbitration Board dated May 24, 1993 and requesting, pursuant to Charter Section 8.409-4(e), that the Board of Supervisors reject the decision of the Arbitration Board concerning SEIU local unions 250, 535 and 790.

File 93-93-4

(Filed June 1, 1993.)

(Pursuant to Charter Section 8.409-4(e) the Board of Supervisors may reject the arbitration board decision within 21 days of the filing of an appeal, by a two-thirds vote.)

Supervisor Hallinan, seconded by Supervisor Maher, moved to continue consideration to June 14, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Government Funding]
Ordinance appropriating $562,500, Water Department, for permanent salaries and mandatory fringe benefits and services of other departments-Light, Heat and Power and rescinding $562,500 from permanent salaries and related mandatory fringe benefits, for the creation of three positions and deletion of three positions, for fiscal year 1992-93. (Controller)

File 101-92-79, Ordinance No. 202-93

Finally passed.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1992-93, Water Department, reflecting the addition and deletion of three positions; companion measure to File 101-92-79. (Civil Service Commission)

File 102-92-17, Ordinance No. 203-93

Finally passed.

[Government Funding]
Ordinance appropriating $1,604,362, Police Department, for capital improvement project (police facilities), for fiscal year 1992-93. (Controller)

File 101-92-81, Ordinance No. 198-93

Finally passed.

[Government Funding]
Ordinance appropriating $197,000, Chief Administrative Officer, for various purposes, for fiscal year 1992-93. (Controller)

File 101-92-82, Ordinance No. 204-93

Finally passed.

[Government Funding]
Ordinance appropriating and certifying $21,901, Department of Public Works, for various capital improvement projects to cover ten percent overage as per Charter Section 7.203, providing for ratification of action previously taken, for fiscal year 1992-93. (Controller)

File 101-92-84, Ordinance No. 205-93

Finally passed.

[Government Funding]
Ordinance appropriating $25,000, Commission on the Status of Women, for program project budget (Sexual Harassment), for fiscal year 1992-93; placing $25,000 on reserve. (Controller)

File 101-92-85, Ordinance No. 201-93

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport - Lease Modifications]
Ordinance approving Modification No. 4 of Lease and Use Agreement between Delta Air Lines, Inc., and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-93-10, Ordinance No.

Passed for second reading.

[Settlement of Attorney Fees]
Ordinance authorizing settlement of appellate attorney's fees and partial settlement of District Court Attorneys' fee litigation in United States (Davis) v. City and County, et al. (City Attorney)

File 45-93-41, Ordinance No.

(U.S. District Court No. C84-7089 MHP;
U.S. Court of Appeals No. 91-15113.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of City and County v. Carol Jan Green, Russell Green, Eileen Green, et al., upon receipt of $25,000 and dismissal of complaint. (City Attorney)

File 46-93-7, Ordinance No.

(Superior Court No. 944-332.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of City and County of Marilyn Jean Christensen v. Tutor-Saliba Corporation, et al., upon receipt of $3,333.33 and release of lien. (City Attorney)

File 46-93-8, Ordinance No.

(Superior Court No. 904-814.)

Passed for second reading.

Adopted

[Contracting Out City Services]
Resolution concurring with the Controller's certification that guard/security services can be practically performed at the Bureau of Water Pollution Control Plant by private contractor for lower cost than similar work services performed by City and County. (Department of Public Works)

File 25-93-3, Resolution No.432-93

Adopted.

[Contracting Out City Services]
Resolution concurring with the Controller's certification that Convention Facilities Management Operation and Maintenance Service can be practically performed at Brooks Hall, Civic Auditorium and Moscone Center by private contractor for lower cost than similar work services performed by City and County employees. (Chief Administrative Officer)

File 25-93-5, Resolution No. 433-93

Adopted.

[Contracting Out City Services]
Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport can be practically performed by private contractor for a lower cost for the first half of the year commencing July 1, 1993 than if work were performed by City and County employees. (Airports Commission)

File 25-93-6, Resolution No. 434-93

Adopted.

[Contracting Out City Services]
Resolution concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Juvenile Probation Department)

File 25-93-8, Resolution No. 422-93

Adopted.

[Contracting Out City Services]
Resolution concurring with the Controller's certification that security services can be practically performed at the Department of Social Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Social Services)

File 25-93-9, Resolution No. 435-93

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of Classifications 9206 Airport Prop. Specialist I, 9207 Airport Prop. Specialist II, 9208 Director, Airport Prop. Management and 9255 Airport Economic Planner in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division)

File 89-93-5, Resolution No. 437-93

Adopted.

[Grant - State Funds]
Resolution authorizing the Chief Administrative Officer to apply for, retroactively, $1,285,475 from the Transportation Fund for clean air in the Bay Area for programs and projects to reduce air pollution from motor vehicles; waiving indirect costs. (Supervisor Migden)

File 133-93-1, Resolution No. 440-93

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to accept and expend a grant of $179,576, from State Department of Health Services, for the continuation of immunization services; waiving indirect costs. (Department of Public Health)

File 146-93-12.1, Resolution No. 426-93

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget and
Economic Vitality and Social Policy Committees

Finally Passed

[New Jobs Tax Credits]
Ordinance amending Part III of the Municipal Code, to add credits for newly created jobs to offset business tax and payroll expense tax liabilities. (Supervisors Kaufman, Alioto, Shelley, Kennedy)

File 127-93-2, Ordinance No. 199-93

(Adds Sections 906B and 1005.6.)

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Bierman - 1.

[Enterprise Zone, Tax Credit]
Ordinance amending Part III of the Municipal Code (Payroll Expense Tax Ordinance), by increasing tax credits for persons who maintain a fixed place of business within the San Francisco Enterprise Zone and who create new jobs and hire employees qualified under specified government jobs programs; and amending (Business Tax Ordinance) by increasing tax credits for persons who maintain a fixed place of business within the San Francisco Enterprise Zone and who create new jobs and hire employees qualified under specified government jobs programs. (Supervisors Kaufman, Alioto, Shelley, Kennedy)

File 127-93-3, Ordinance No. 200-93

(Amends Sections 906A and Section 1005.5.)

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Bierman - 1.

Recommendation of Housing and Land Use Committee

Adopted

[Increasing Double Parking Bail to $100]
Resolution urging the Municipal Court to increase the bail for double parking violations from $43 and $50 to $100, to be effective after the City has increased the number of metered yellow zones in the downtown core, which task should be completed by January 1, 1994; directing the Clerk to transmit a copy of this resolution to the Municipal Court; and urging the Mayor to urge the Parking and Traffic Commission and the Police Commission to place a high priority on vigorously citing violators of double parking prohibitions, especially during periods of peak evening traffic. (Supervisor Maher)

File 237-93-2, Resolution No. 443-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $3,845,822, Superior Court, for other contractual services and services of other departments-Chief Administrative Officer, for fiscal year 1992-93; placing $3,565,333 on reserve. (Supervisor Alioto)

File 101-92-87, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

[Fees/Permits]
Ordinance amending Health Code, to impose a permit requirement and fee for operation of a solid waste transfer station, to incorporate by reference Section 40200 of the California Public Resources Code, to change the fees for refuse collection liens and tattoo parlors, to change the definition of special events and to adopt a definition of school food concessions for purposes of issuing permits. (Department of Public Health)

File 118-93-3, Ordinance No.

(Amends Sections 258, 291.7 and 451;
Adds Section 294.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

[Filing and License Fees Department of Public Health]
Ordinance amending Part III Municipal Code (Revenue and Finance) to change the filing and license fees for various Department of Public Health services, to require license for operation of a solid waste transfer station, to incorporate by reference Sections 40191, 40194, 40195 and 40200 of the California Public Resources Code, to define those school food concession operations that require a license fee and to make technical corrections. (Department of Public Health)

File 127-93-4, Ordinance No.

(Amends Sections 35, 120, 122, 221, 248, 249.1, 249.3, 249.5, 249.6, 249.7, 249.9, 249.11, 249.12, 249.13 and 249.14;
Adds Sections 249.2 and 249.15.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

Adopted

[Acquisition of Real Property]
Resolution authorizing the City and County to acquire, on behalf of the Clean Water Program of the Department of Public Works, two temporary construction easements through a portion of the real property identified as Assessor's Parcel Nos. 5585/1/3/4; and to adopt findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 84-93-1, Resolution No. 436-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

[General Obligation Bonds]
Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal improvements, to wit: acquisition, construction or reconstruction of certain improvements to streets, sidewalks, street lighting and utilities, including street and sidewalk improvements, traffic safety improvements, street lighting improvements, and improvements for the undergrounding of certain utilities, that the estimated cost of $68,000,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisors Hsieh, Alioto, Migden, Bierman, Maher)

File 170-93-6, Resolution No. 424-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

In connection with the above item, Supervisor Maher requested to be added as co-sponsor.

[General Obligation Bonds]
Resolution determining the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal improvements, to wit: acquisition, construction or reconstruction of cultural facilities, including the construction and reconstruction of certain improvements to the main library for the purpose of relocating the Asian Art Museum to such location, the acquisition, construction, and reconstruction of certain improvements to the Steinhart Aquarium, the construction and reconstruction of certain improvements to five community cultural facilities (Mission Cultural Center, Bayview Opera House, Center for African and African American Art and Culture - Western Addition, South of Market Cultural Center and the Art Commission Gallery), and the construction and reconstruction of certain improvements to the Exploratorium and acquisition and capital improvements for a Gay/Lesbian Cultural Center, that the estimated cost of $98,045,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisors Shelley, Alioto, Migden, Kennedy, Kaufman, Leal, Hallinan)

File 170-93-7, Resolution No. 425-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

In connection with the above items, Supervisors Migden, Kennedy, Kaufman, Leal, Hallinan requested to be added as co-sponsor.

[Transit Maintenance District]
Resolution urging the Mayor to urge the Public Utilities Commission to update studies necessary to support the formation of a core area Transit Maintenance District. (Supervisor Bierman)

File 285-93-1, Resolution No. 446-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

Recommendations of Government Efficiency and Labor Committee

Consideration Continued

[Salary Standardization - Registered Nurse]
Ordinance modifying schedules of compensation for persons employed by the City and County, the San Francisco Community College District, the San Francisco Unified School District, whose compensations are subject to the provisions of Section 8.403 of the Charter and as set forth in Ordinance 203-92, effective July 1, 1993. (Civil Service Commission)

File 103-93-1, Ordinance No.

(May 19, 1993 - The Board, by Motion, extended the date for passage for second reading to June 21 and for final passage on June 28, 1993.)

Supervisor Hallinan, seconded by Supervisor Kaufman, moved to continue consideration to June 14, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

Adopted

[Household Waste Grant]
Resolution authorizing retroactively the Chief Administrative

Officer to accept and expend $109,067 in Household Hazardous Waste Grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs. (Chief Administrative Officer)

File 133-92-3.1, Resolution No. 441-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

[Grant - State Department of Industrial Relations]
Resolution authorizing the General Manager, Public Utilities Commission to apply for, accept and expend funds for the PUC Office of Health and Safety up to $75,000 available from the California Department of Industrial Relations 1993 Occupational Safety and Health Training and Education Grant Program; waiving indirect costs; and providing ratification of action previously taken; placing $24,000 on reserve. (Public Utilities Commission)

File 94-93-2, Resolution No. 438-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Community Public Health, Family Health Bureau, to accept and expend a grant augmentation of $41,516, which includes indirect costs in the amount of $12,399 and a required match of $55,971, which is thirteen percent of the grant, from the State Department of Health, Maternal Child Health Branch for perinatal and related MCH services. (Department of Public Health)

File 146-93-23, Resolution No. 427-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

[Contract]
Resolution authorizing the Department of Social Services to enter into a contract with the State Department of Health Services in order to receive incentive payments for identifying and reporting

third party health care coverage available to Medi-Cal beneficiaries for the period March 1, 1993 through June 30, 1995 and authorizing the department to retain any incentive payments earned for the purpose of enhancing the Department's Staff Development Programs; providing for ratification of action previously taken. (Department of Social Services)

File 172-93-22, Resolution No. 442-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

[Grant, Special Advocate Program]
Resolution acknowledging the award of a grant in the amount of $10,000 by the California Judicial Council to the San Francisco Court Appointed Special Advocates. (Supervisor Shelley)

File 230-93-1, Resolution No. 423-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing on objections to the report by the Tax Collector of delinquent charges for Residential Rent Stabilization and Arbitration fees, and creating special assessments and liens based thereon. (Tax Collector)

File 109-93-4

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

From the Tax Collector

Adopted

[Rent Stabilization and Arbitration Liens]
Resolution confirming report of delinquent charges for Residential Rent Stabilization and Arbitration fees submitted by the Tax Collector, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Tax Collector)

File 109-93-4, Resolution No. 439-93

Supervisor Kennedy, seconded by Supervisor Migden, moved to amend the report by deleting the properties listed in document submitted by the Tax Collector's representative dated June 7, 1993. (A copy of which is on file in the office of the Clerk of the Board of Supervisors.)

Motion to amend the report adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Hsieh - 2.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Hsieh - 2.

SPECIAL ORDER - 3:00 P.M.

Recommendation of Budget Committee

Consideration Continued

(Supervisor Hsieh dissenting in Committee.)

Hearing to consider ordinance amending Article 10 of the Municipal Code, to increase the tax rate to 7%, effective July 1, 1993, to delete the sunset provision of this section, which extended the telephone users tax to interstate and international telephone communication services for the period from August, 1992 to June 1993. (Supervisor Migden)

File 127-93-5, Ordinance No.

(Amends Section 707.2 and 707.3.)
(A second public hearing as required by State law will be held on July 19, 1993.)

The following persons were granted privilege of the floor:

Dehnert Queen;
Simon Cornell;
Paul, Golden Gate Business Association;
Bob Beckley.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to July 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Hsieh - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
R. J. Hampton;
Rodney Telmadge;
Pat Carrie;
Concerned citizen;
Concerned citizen;
Hugh Drew;
Concerned citizen;
Steve Mallet;
Elizabeth Southbank;
Concerned citizen;
Andrea;
Phil Rambo.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

(See Journal of Proceedings of June 21, 1993 for disapproval by the Mayor.)

[Haiti]
Resolution urging the Mayor to urge President Bill Clinton and the United States Congress to use all available means to achieve the

return to democracy in Haiti and to assist in fully restoring President Aristide to his office as the duly elected leader of Haiti. (Supervisor Kennedy)

File 13-93-20, Resolution No.

(June 1, 1993 - Introduced in Board for consideration on June 7, 1993.)

Adopted.

[Needle Exchange]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto)

File 30-93-5.6

(June 1, 1993 - Introduced in Board for consideration on June 7, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kennedy, Leal, Migden, Shelley - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Maher - 4.

IMMEDIATE ADOPTION CALENDAR

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-23, Resolution No. 418-93

(Terence Hallinan, member, Board of Supervisors, July 6 - 7; Peter Ashe, member, Retirement Board, June 3; Raymond Baxter, Director of Health, May 21 - 28; Lu Blazej, Director, Department of City Planning; April 30 - May 5; Marie K. Brooks, member, Airports Commission, May 16 - 24; Mary E. Burns, General Manager, Recreation and Park, May 22 - 31; Barbara Cameron, member, Commission on the Status of Women, May 4 - 5 and May 27 - 31; Debra Chasnoff, member, Film and Video Arts Commission, May 20 - 24 and May 29 - June 6; Steven A. Coulter, member, library Commission, June 16 - July 4; Mrs. Ethel V. Davies, member, War Memorial Board of Trustees, June 3 - 7; Gloria Davis, member,

Human Rights Commission, May 13 - 19; Cleo Donovan, member, Civil Service Commission, May 12 - 13; Patricia Evans, M.D., member, Social Services Commission, June 6 - 25; Virginia C. Gee, member, Library Commission, May 22 - 23 and May 28 - June 1; Ed Harrington, Controller, May 28 - June 1; Steve Heminger, member, Parking and Traffic Commission, June 12 - 17; James P. Herlihy, member, Library Commission, July 16 - August 4; James Herman, member, Port Commission, May 5 - 7; Clothilde Hewlett, member, Police Commission, May 13 - 16; Bev Immendorf, member, Film and Video Arts Commission, May 21 - 25; Jack Immendorf, Vice President, Recreation and Park Commission, May 20 - 25; Margel F. Kaufman, member, Health Commission, May 6 - 9; Gary Kitahata, member, Redevelopment Agency, May 14 - 31; Lawrence Martin, member, City Planning Commission, June 9 - 17; Keith I. Marton, M.D., member, Health Commission, May 7 - 8; Joseph A. Medina, Chief of Fire Department, July 26 - August 2; Herb Meiberger, member, Retirement Board, June 7 - 9; Clare M. Murphy, General Manager, Retirement System, June 10 - 15; Rudolf Nothenberg, Chief Administrative Officer, June 8 - 13; Francis O'Neill, member, Port Commission, May 19 - 26; Cynthia Choy Ong, Vice President, Redevelopment Agency, May 20 - 24; Melinda L. Paras, member, Health Commission, May 26 - June 3; Harry S. Parker, III, Director, Fine Arts Museums, June 3 - 6; Carlota del Portillo, member, Board of Education, April 30 - May 10; Edward Powell, member, Film and Video Arts Commission, May 23 - 26 and July 10 - 24; Anthony D. Ribera, Chief of Police, May 4 - 5 and May 29 - 31; Dodie Rosekrans, member, Art Commission, May 16 - 25; Barbara Rosenberg, member, Library Commission, May 4 - 9; Manuel Rosales, member, Parking and Traffic Commission, May 18 - 20; Arlene M. Sauser, Chief Adult Probation Officer, May 10 - 14 and May 17 - 21; Boyd G. Stephens, M.D., Chief Medical Examiner, July 5 - 23; L.A. Turpen, Director of Airports, May 24 - 26, September 21 - 30, November 7 - 11; Doris M. Ward, Assessor, July 16 - 20; Joanne Chow Winship, Director of Cultural Affairs, Art Commission, May 26 - 27, June 26 - July 4; George Yamasaki, Jr., President, Social Services Commission, June 9 - 16; James Yee, member, Film and Video Arts Commission, May 29 - June 7, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Street Closing]
Resolution authorizing temporary closing of a portion of Joice Street, between Clay and Sacramento Streets, between Tuesday, June 22, 1993, and Saturday, June 26, 1993, from 6:30 a.m. to 8:30 p.m. daily for filming purposes.

File 42-93-23, Resolution No. 419-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Eddy Street, between Van Ness Avenue and Polk Street, Monday, June 21, 1993, through Thursday, June 24, 1993, 6:30 a.m. to 8:00 p.m. daily for filming purposes.

File 42-93-24, Resolution No. 420-93

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kennedy, Leal, Migden, Shelley - 7.

Absent: Supervisors Bierman, Hsieh, Kaufman, Maher - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Conflict of Interest Code]
Ordinance amending Administrative Code by amending Section 58.145 to add Legislative Aide and Administrative Assistant to member of the Board of Supervisors as designated positions with disclosure responsibilities under the Conflict of Interest Code of the City and County of San Francisco. (Supervisors Hallinan and Shelley presented.) Referred to Government Efficiency and Labor Committee.

File 97-93-33

[Graffiti Advisory Board]
Ordinance amending Administrative Code by adding Sections 5.170 through 5.174 creating a Graffiti Advisory Board. (Supervisor Conroy presented.) Referred to Health, Public Safety and Environment Committee.

File 97-93-34

[Warning signs, Personal Lubricants]
Ordinance amending Health Code by adding Sections 267.7 through 267.13 providing for point of retail sale lubricant warning signs. (Supervisors Migden and Maher presented.) Referred to Health, Public Safety and Environment Committee.

File 118-93-1

[Utility User Tax]
Ordinance amending Part III, Municipal Code, by amending Section 707.2 to extend the 6.5 percent tax rate through August 31, 1993 and to increase the tax rate to 7.5 percent, effective September 1, 1993, and amending Section 707.3 to delete the sunset provision of this section, which extended the Telephone Users Tax to interstate and international telephone communication services for the period from August, 1992 to June, 1993. (Supervisor Migden presented.) Referred to Budget Committee with request it be considered at the June 9, 1993 meeting.

File 127-93-5.1

[Transient Occupancy Tax]
Ordinance amending San Francisco Municipal Code, Part III, by adding Section 502.7, which imposes a 1.5 percent surcharge on the Hotel Occupancy Tax, effective August 15, 1993. (Supervisor Hallinan) Referred to Budget Committee.

File 127-93-9

[Transient Occupancy Tax, 12 Percent]
Draft ordinance amending the San Francisco Municipal Code, Part III, by amending Section 502.5 to increase transient occupancy tax surcharge from 1.75 percent to 2.75 percent and by amending Section 515 to fund the Fine Arts Museums of San Francisco and the Asian Art Museum of San Francisco, to reduce the percentage of the transient occupancy tax allocated to administration thereof and to limit fiscal year 1993-94 allocations to the amounts allocated in fiscal year 1992-93; effective August 15, 1993. (Supervisor Migden) Referred to Budget Committee.

File 127-93-10

[Transient Occupancy Tax, 13 Percent]
Ordinance amending the San Francisco Municipal Code, Part III, by amending Section 502.5 to increase transient occupancy tax surcharge from 1.75 percent to 3.75 percent and by amending Section 515 to fund the Fine Arts Museums of San Francisco and the Asian Art Museum of San Francisco, to reduce the percentage of the transient occupancy tax allocated to administration thereof and to limit fiscal year 1993-94 allocations to the amounts allocated in fiscal year 1992-93; effective August 15, 1993. (Supervisor Migden) Referred to Budget Committee.

File 127-93-11

[Utility User Tax, Cellular Telephone Users]
Ordinance amending San Francisco Municipal Code, Part III, by amending Sections 701 and 703 to apply the tax to cellular telephone users effective September 1, 1993, amending Section 710 to increase the interest rate assessed against delinquent accounts and making

technical amendments to Section 708 and 710 to clarify liability for taxes imposed by this article. (Supervisor Migden) Referred to Budget Committee.

File 127-93-12

[Business/Payroll Tax Registration and Exemption]
Ordinance amending Municipal Code, Part III, by amending Sections 903.1, 905-A, 1005.3, 1007 and 1007.2 to provide for graduated payroll expense tax rates and lower the qualifying maximum for the small business exemption to the payroll expense tax, and to provide for graduated business registration fees and to reduce the qualifying maximum for the small business exemption to the business tax. (Supervisor Migden) Referred to Budget Committee.

File 127-93-13

[Hotel Tax]
Draft ordinance amending the San Francisco Municipal Code, Part, III by amending Section 515 to fund the Fine Arts Museums and the Asian Art Museum to reduce the percentage of the Hotel Tax allocated to administration of the Hotel Tax. (Supervisors Kaufman, Kennedy) Referred to Budget Committee.

File 127-93-14

Referred to Board

[State Legislation]
Resolution opposing AB 392 and AB 480 which would reduce the ability of local dispute resolution programs to arrange secure funding. (Supervisor Alioto presented.) Referred to Board June 14, 1993 For Adoption Without Committee Reference Calendar.

File 12-93-18

[Statue Honoring Albert Pike]
Resolution urging the Mayor to urge the President and Congress to remove from public grounds the statue of Albert Pike, a Grand Dragon of the Ku Klux Klan. (Supervisor Kennedy presented.) Referred to Board June 14, 1993 For Adoption Without Committee Reference Calendar.

File 13-93-21

Referred to Committee

[POA Agreement with the City]
Resolution urging the Mayor to negotiate with the San Francisco Police Officers Association to seek changes in the current agreement with the Association and the City which would result in the members

of the Association making concessions on salary for fiscal year 1993-1994 in exchange for additional retirement benefits in the future, thereby allowing the City to retain 85 uniformed positions in the Police Department that are currently proposed for elimination in the 1993-1994 fiscal year budget. (Supervisor Alioto) Referred to Budget Committee with request it be considered at the June 16, 1993 meeting.

File 93-93-1.1

[Package Warning, Personal Lubricants]
Resolution urging the Mayor to urge the Health Commission to urge the Food and Drug Administration (FDA) to require manufacturers of condoms to include a warning about the use of oil-based lubricants with condoms on each package of condoms, urging the manufacturers of condoms to voluntarily include a warning about the use of oil-based lubricants with condoms on each package of condoms, urging the manufacturers of oil-based lubricants to include an advisory about the use of oil-based lubricants with condoms on each package of personal lubricant. (Supervisors Migden, Maher, Hallinan presented.) Referred to Health, Public Safety and Environment Committee.

File 118-93-1.2

[Reimbursement Resolution]
Resolution declaring the intent of the City and County of San Francisco to reimburse certain capital expenditures, Fine Arts Museum (M. H. deYoung Memorial Museum), from proceeds of future indebtedness; and approving and ratifying previous actions. (Supervisor Alioto) Referred to Budget Committee.

File 283-93-1

Suspension of the Rules

Supervisor Maher, seconded by Supervisor Kennedy, moved that the time limits prescribed in Rule 5.5 of the Rules of Order of the Board of Supervisors be suspended to permit introduction of the following Charter amendment.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

Referred to Committee

[Ballot Measure]
Charter amendment (skeletal) to allow the City and its employees to

negotiate retirement benefits. (Supervisor Maher presented.) Referred to Rules Committee.

File 289-93-1

Requests for Hearings

File 32-93-1, By Supervisor Bierman: To consider Viacom's current policies and rate schedule. Referred to Government Efficiency and Labor Committee.

File 161-93-6, By Supervisor Kennedy: To consider the Redevelopment Agency's Strategic Plan. At the direction of the President, scheduled for public hearing before the Board on June 14, 1993.

Referred to Board

[Graffiti Prevention Tax]
Motion ordering submission of an ordinance by the Board of Supervisors calling and providing for a special election to be held on November 2, 1993 to be consolidated with the General Election for the purpose of submitting to the voters an ordinance amending Article 15, Part III of the Municipal Code to impose a tax on the privilege of selling aerosol paint containers, containers of any other marking substance, felt tip markers with a surface of one-half inch or greater, or any other marking instrument within the City and County. (Supervisor Conroy presented.) Referred to Budget Committee with request it be considered at the June 16, 1993 meeting.

File 290-93-1

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 36-93-2. [Zoning Map Change 92.258Z] Adopting changes in use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located on the west side of Ceres Street, 100 feet north of Williams Avenue in Assessor's Block 5409, Lots 10 and 11 from an RH-1 (House, One-Family) District to an RH-2 (House, Two-Family) District; and adopting findings pursuant to Planning code Section 101.1. (Department of City Planning) Housing and Land Use

File 45-93-46. [Settlement of Lawsuit] Authorizing settlement of litigation of Robert Riggs against the City and County of San Francisco by payment of $16,000. (City Attorney) Government Efficiency and Labor

File 45-93-47. [Settlement of Lawsuit] Authorizing settlement of litigation of Janet Grenslitt against the City and County of San Francisco by payment of $25,000. (City Attorney) Government Efficiency and Labor

File 117-93-1. [Lien Proceeding Administration Costs] Amending the Fire Code by adding Section 4.209 thereto, to authorize the Fire Department to collect delinquent fees through the perfection of lien. (Fire Commission) Government Efficiency and Labor

Resolutions Referred to Committee

File 7-93-9. [Municipal Railway Fare Increases] Making a finding concerning proposed revisions of the San Francisco Municipal Railway fare schedule; companion measure to File 7-93-9.1. (Public Utilities Commission) To Budget Committee with direction to report back to the Board on June 21, 1993.

File 7-93-9.1. [Municipal Railway Fare Increases] Approving a revised fare schedule for the San Francisco Municipal Railway; companion measure to File 7-93-9. (Public Utilities Commission) To Budget Committee with direction to report back to the Board on June 21, 1993.

File 7-93-10. [Public Transportation] Approving the proposed discontinuance of service on the 56-Rutland on Sunnydale and replacement on Leland eastbound and Visitacion westbound; companion measure to File 7-93-10.1. (Public Utilities Commission) Scheduled for Public Hearing before Board on June 28, 1993 at 3:00 p.m.

File 7-93-10.1. [Public Transportation] Disapproving the proposed discontinuance of service on the 56-Rutland on Sunnydale and replacement on Leland eastbound and Visitacion westbound; companion measure to File 7-93-10. (Public Utilities Commission) Scheduled for Public Hearing before Board on June 28, 1993 at 3:00 p.m.

File 21-93-1. [Sewer Service Charge] Adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1993-94 pursuant to Part II, Chapter X, Article 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code); providing for a severability clause. (Chief Administrative Officer) Scheduled for Public Hearing before Board on June 28, 1993 at 3:00 p.m.

File 33-93-5. [State Legislative Representative] Ratifying the Mayor's appointment of Marilyn Berry Thompson as Federal Legislative representative for the City and County of San Francisco. (Mayor) Rules

File 48-93-13. [Settlement of Claim] Approving the settlement of the unlitigated claim of Elena Michelli, by payment of $10,000. (City Attorney) Government Efficiency and Labor

File 48-93-14. [Settlement of Claim] Approving the settlement of the unlitigated claim of Sam San Filippo, by payment of $9,063.33. (City Attorney) Government Efficiency and Labor

File 61-93-4. [Contract Award Extension] Granting extension of time for awarding San Francisco Water Department Contract No. WD-2089R, 12 and 8-inch ductile iron main installation in Powell Street between Lombard and Jefferson Streets and Mason Street between Lombard and Chestnut Streets. (Public Utilities Commission) Government Efficiency and Labor

File 64-93-11. [Lease of Real Property Lease] Authorizing the renewal of lease of real property at Sixth and Ahern Streets described as Lot "D", Block 3759, Lot 9 and portion of Lot 12, for the Sheriff's Department for use as replacement parking for Police Department vehicles during Hall of Justice Construction Project. (Real Estate Department) Government Efficiency and Labor

File 161-93-5. [Redevelopment Agency Budget] Approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for Fiscal Year 1993-9. (Redevelopment Agency) Budget

File 161-93-5.1. [Redevelopment Agency Budget and Bonds] Approving the Budget of the Redevelopment Agency of the City and County of San Francisco for Fiscal Year 1993-94; approving and authorizing an amendment to the indebtedness limitation agreement between Redevelopment Agency and the City and County of San Francisco; and approving the issuance by the agency of bonds in an aggregate principal amount not to exceed $30,000,000 for the purpose of financing redevelopment activities in fiscal year 1993-94. (Redevelopment Agency) Budget

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Conroy, that Budget Analyst comment on the cost of using chlorine in San Francisco's sewage treatment facilities as opposed to sodium chloride, which is currently being used.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Joe Bullock (Supervisor Kennedy)
Paul E. Springer (Supervisor Hsieh)

File 2-93-23

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:58 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on November 1, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 88 No. 24

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Monday, June 14, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 14, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden - 9.

Noted absent at first roll call:

Supervisors Kennedy, Shelley - 2.

Quorum present.

Supervisor Kennedy was noted present at 2:10 p.m.

Supervisor Shelley was noted present at 2:11 p.m.

Presentation of Guests

Supervisor Leal introduced and welcomed three distinguished visitors from Venezuela as follows:

Mayor Denis Antonio Balza Ron, City of Barcelona;
Mayor Enrique Mendoza D'Ascoli, Sucre District of the State of Miranda; and
Mayor Leonel Enrique Jimenez Carupe, Heres Municipality of the Bolivar State.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Government Funding]
Ordinance appropriating $3,845,822, Superior Court, for other contractual services and services of other departments-Chief Administrative Officer, for fiscal year 1992-93; placing $3,565,333 on reserve. (Supervisor Alioto)

File 101-92-87, Ordinance No. 212-93

Finally passed.

[Fees/Permits]
Ordinance amending Health Code, to impose a permit requirement and fee for operation of a solid waste transfer station, to incorporate by reference Section 40200 of the California Public Resources Code, to change the fees for refuse collection liens and tattoo parlors, to change the definition of special events, and to adopt a definition of school food concessions for purposes of issuing permits. (Department of Public Health)

File 118-93-3, Ordinance No. 206-93

(Amends Sections 258, 291.7 and 451;
Adds Section 294.)

Finally passed.

[Filing and License Fees Department of Public Health]
Ordinance amending Part III Municipal Code (Revenue and Finance) to change the filing and license fees for various Department of Public Health services, to require license for operation of a solid waste transfer station, to incorporate by reference Sections 40191, 40194, 40195 and 40200 of the California Public Resources Code, to define those school food concession operations that require a license fee, and to make technical corrections. (Department of Public Health)

File 127-93-4, Ordinance No. 207-93

(Amends Sections 35, 120, 122, 221, 248, 249.1, 249.3, 249.5, 249.6, 249.7, 249.9, 249.11, 249.12, 249.13 and 249.14; Adds Sections 249.2 and 249.15.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport - Lease Modifications]
Ordinance approving Modification No. 4 of Lease and Use Agreement between Delta Air Lines, Inc., and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-93-10, Ordinance No. 208-93

Finally passed.

[Settlement of Attorney Fees]
Ordinance authorizing settlement of appellate attorney's fees and partial settlement of District Court Attorneys' fee litigation in United States (Davis) v. City and County, et al. (City Attorney)

File 45-93-41, Ordinance No. 209-93

(U.S. District Court No. C84-7089 MHP;
U.S. Court of Appeals No. 91-15113.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of City and County v. Carol Jan Green, Russell Green, Eileen Green, et al., upon receipt of $25,000 and dismissal of complaint. (City Attorney)

File 46-93-7, Ordinance No. 210-93

(Superior Court No. 944-332.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of City and County of Marilyn Jean Christensen v. Tutor-Saliba Corporation, et al., upon receipt of $3,333.33 and release of lien. (City Attorney)

File 46-93-8, Ordinance No. 211-93

(Superior Court No. 904-814.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Hearing Held

[SEIU Interest Arbitration Decision]
Communication from Mayor appealing the decision of the Mediation/Arbitration Board dated May 24, 1993 and requesting, pursuant to Charter Section 8.409-4(e), that the Board of Supervisors reject the decision of the Arbitration Board concerning SEIU local unions 250, 535 and 790.

File 93-93-4

(Filed June 1, 1993.)

(Pursuant to Charter Section 8.409-4(e) the Board of Supervisors may reject the arbitration board decision within 21 days of the filing of an appeal, by a two-thirds vote.)

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

Deputy City Attorney Ted Lakey stated that the Board of Supervisors has until next Monday to reject the decision of the arbitrator in which eight votes are required. A motion has been prepared which would reject the decision. An "aye" vote would be a vote for the Mayor and the City's proposal and a "no" vote would be against it. (See infra.)

Supervisor Migden, seconded by Supervisor Kaufman, moved to continue consideration to June 21, 1993.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Conroy, Kaufman, Kennedy, Leal, Migden - 5.

Noes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Maher, Shelley - 6.

The Board then considered the following related item.

Hearing held; Refused Adoption

[SEIU Interest Arbitration Decision]
Motion rejecting the decision of the Mediation/Arbitration Board in the dispute that has arisen between the City and County of San Francisco and Service Employees International Union, Locals 250, 535

and 790, and declaring that the last best offer package of the City and County of San Francisco shall become effective.

File 93-93-4.1

Supervisor Conroy presented and, seconded by Supervisor Kaufman, moved adoption.

The privilege of the floor was granted to the following persons concerning this matter:

Cathy Perry;
Dehnert Queen;
Concerned resident;
Concerned resident;
Concerned resident;
Shelley Salieri;
John Eckersol;
Concerned merchant;
Elsa May;
Bill Wilson.

The Clerk stated that an "aye" vote is to reject the arbitrator's decision and place the City's last offer into effect and a "no" vote is to accept the arbitrator's decision and SEIU's last offer will go into effect.

Refused adoption by the following vote:

Ayes: Supervisors Kaufman, Kennedy, Leal, Migden, Shelley - 5.

Noes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Maher - 6.

The President reassumed the Chair.

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading

[Salary Standardization - Registered Nurse]
Ordinance modifying schedules of compensation for persons employed by the City and County, the San Francisco Community College District, the San Francisco Unified School District, whose compensations are subject to the provisions of Section 8.403 of the Charter and as set forth in Ordinance 203-92, effective July 1, 1993. (Civil Service Commission)

File 103-93-1, Ordinance No.

(May 19, 1993 - The Board, by motion, extended the deadline for passage for second reading to June 21 and for final passage on June 28, 1993.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Noes: Supervisor Kaufman - 1.

Absent: Supervisors Conroy, Leal - 2.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating $64,744, Adult Probation, for professional services (California Community Dispute Services); providing for ratification of action previously taken. (Supervisor Alioto)

File 101-92-86, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 8.

Noes: Supervisors Kennedy, Maher - 2.

Absent: Supervisor Conroy - 1.

Adopted

[Patient Day Rates]
Resolution fixing patient day rates for services furnished by City and County health care institutions and rescinding Resolution No. 764-92; retroactive to January 1, 1993 (ambulance) and to March 1, 1993 (San Francisco General Hospital) rates. (Department of Public Health)

File 30-93-10, Resolution No. 458-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kaufman - 2.

[Tax and Revenue Anticipation Notes]
Resolution approving and authorizing the borrowing of funds for fiscal 1992-93; the issuance and sale of City and County of San Francisco, California, 1992-1993 Tax and Revenue Anticipation Notes thereof; and authorizing other official actions in connection therewith. (Supervisor Migden)

File 239-93-2, Resolution No. 448-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

From Budget Committee
With Recommendation "DO PASS"

Adopted

[Water Rates - Finding]
Resolution making a finding that no tax subsidy will be required by the San Francisco Water Department by reason of approval of a proposed revised schedule of rates to be charged by the San Francisco Water Department for water supplied to its suburban resale customers. (Public Utilities Commission)

File 142-93-2, Resolution No. 465-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Migden - 7.

Absent: Supervisors Conroy, Hsieh, Leal, Shelley - 4.

(Only one of the following two resolutions should be adopted.)

From Budget Committee
With Recommendation "DO PASS"

Adopted

[Water Rates]
Resolution approving revised schedule of rates to be charged by the San Francisco Water Department for water service and water supplied to its suburban resale customers. (Public Utilities Commission)

File 142-93-2.1, Resolution No. 466-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Migden - 7.

Absent: Supervisors Conroy, Hsieh, Leal, Shelley - 4.

From Budget Committee
With Recommendation "DO NOT PASS"

Tabled

[Water Rates]
Resolution disapproving revised schedule of rates to be charged by the San Francisco Water Department for water service and water supplied to its suburban resale customers; companion measure to Files 142-93-2 and 142-93-2.1 (Public Utilities Commission)

File 142-93-2.2, Resolution No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Migden - 7.

Absent: Supervisors Conroy, Hsieh, Leal, Shelley - 4.

From Budget Committee
With Recommendation "DO PASS"

Adopted

[Water Rates - Finding]
Resolution making a finding that no tax subsidy will be required by the San Francisco Water Department by reason of approval of a proposed schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas. (Public Utilities Commission)

File 142-93-3, Resolution No. 467-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Migden - 7.

Absent: Supervisors Conroy, Hsieh, Leal, Shelley - 4.

(Only one of the following two resolutions should be adopted.)

From Budget Committee
With Recommendation "DO PASS"

Adopted

[Water Rates]
Resolution approving revised schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas. (Public Utilities Commission)

File 142-93-3.1, Resolution No. 468-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 8.

Absent: Supervisors Conroy, Hsieh, Shelley - 3.

From Budget Committee
With Recommendation "DO NOT PASS"

Tabled

[Water Rates]
Resolution disapproving revised schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-92-3 and 142-93-3.1. (Public Utilities Commission)

File 142-93-3.2, Resolution No.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 8.

Absent: Supervisors Conroy, Hsieh, Shelley - 3.

From Budget Committee Without Recommendation

Rereferred to Committee

[Fire District Procedure Code]
Ordinance amending Public Works Code, to authorize the Board of Supervisors to initiate proceedings to establish a Fire Protection Assessment District and to levy annual Fire Protection Assessments. (Supervisor Migden)

File 123-93-3.1, Ordinance No.

(Enacts new Article 6.2.)

Supervisor Migden, seconded by Supervisor Maher, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

Recommendations of Health, Public Safety and Environment Committee

Passed for Second Reading

[Lead Hazard Reduction Advisory Committee]
Ordinance amending Health Code, to add two additional members to the Lead Hazard Reduction Citizens Advisory Committee. (Supervisor Bierman)

File 118-93-4, Ordinance No.

(Amends Section 1608.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

Adopted

[Gun Control]
Resolution endorsing the Brady Bill, which would establish a national five business day waiting period for handgun purchases and require local law enforcement officials to conduct a background check on all handgun purchasers. (Supervisors Shelley, Alioto)

File 13-93-16, Resolution No. 456-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[Park Police Station]
Resolution urging the Mayor to urge the Police Commission to abandon plans to convert Park Station from a neighborhood police station to a platoon within the Crime Prevention Company. (Supervisors Hallinan, Maher, Bierman, Alioto, Hsieh)

File 207-93-11.1, Resolution No. 469-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding Section 1510 re-establishing the official widths of sidewalk on Harrison Street between 15th and 18th Streets; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-93-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

Adopted

[Building Code]
Resolution endorsing those changes and providing findings as to the local conditions requiring changes of the California Building Standards Code for buildings, as required by the California Health and Safety Code. (Supervisor Hsieh)

File 114-92-9, Resolution No. 463-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

Passed for Second Reading

[Building Code]
Ordinance amending Building Code, to define and set new repair standards for damaged buildings, permit the partial strengthening of undamaged buildings and correct minor typographical errors in Ordinance No. 156-92 and adopting findings; companion measure to File 114-92-9. (Supervisor Hsieh)

File 114-92-9.1, Ordinance No.

(Amends Section 104(b).)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

Adopted

[Building Code]
Resolution endorsing those changes and providing findings as to the local conditions requiring changes of the California Building Standards Code for buildings, as required by the California Health and Safety Code. (Supervisor Hsieh)

File 114-92-10.1, Resolution No. 464-93

Supervisor Maher Excused from Voting

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to excuse Supervisor Maher from voting.

Motion to excuse Supervisor Maher from voting adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Excused: Supervisor Maher - 1.

Absent: Supervisor Conroy - 1.

Passed for Second Reading

[Building Code]
Ordinance amending Building Code to require fire-resistive glazing to conform with safety glazing requirements in human impact locations; companion measure to File 114-92-10.1. (Supervisor Hsieh)

File 114-92-10, Ordinance No.

(Amends Sections 4306(i) and 5406(c).)

Supervisor Maher Excused from Voting

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to excuse Supervisor Maher from voting.

Motion to excuse Supervisor Maher from voting adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

The roll was called on the pending ordinance and it was passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Excused: Supervisor Maher - 1.

Absent: Supervisor Conroy - 1.

Recommendations of Rules Committee

Adopted

[Appointments]
Resolution appointing members to the newly established Lead Poisoning Prevention Citizens Advisory Committee; making findings waiving residency requirements. (Rules Committee)

File 92-93-2.1, Resolution No. 459-93

(Elise C. Stone, health educator, non-resident;
Neli Palma, tenant representative;
Angela Chu, tenant representative;
Shelby Kennedy, builder;
Ana Shul, low-income advocate;
James Threat, Recreation and Park Department, non-resident;
Judith Schutzman, Department of Social Services, non-resident;
Shelia J. Cohen, non-profit clinic;

Winny Tam, childcare;
Sharon Donovan, childcare;
Liticia Alcantar, neighborhood concerns;
Janan New, residential multi-dwellings;
Francisco Jose Lopez, S.F. Unified School District;
Alma Marroquin, nurse;
Tracy Brown, parent;
Betty Taisch, property management;
Naja Williams, Mayor's Office Housing and Childcare, non-resident;
Yvette Robinson, affordable housing;
Amy Vanacore, immigrant services;
Karen Huggins, public housing;
Neil Gendel, public interest;
Diane Vellano, State preschools;
Barbara Nabors-Glass, S.F. Housing Authority;
Gail Herrick, Department of Public Health, non-resident.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

[Appointments]
Resolution appointing members to the newly established Lead Hazard Reduction Citizens Advisory Committee; making findings waiving residency requirements. (Rules Committee)

File 92-93-3.1, Resolution No. 460-93

(Ted Gullicksen, tenant representative;
Emily McFarland, tenant representative;
Robert Mengarelli, painting contractor;
Tim Carrico, residential owner;
Vince Malta, residential owner;
Mitch Fine, financial expert;
Neil Gendel, public interest organization;
Don Lanier, Environmental Protection Agency;
Jack Breslin, Department of Public Health;
Ron Atkielski, Housing Authority;
Lucy Vela, childcare, non-resident;
Neil G. Rains, BBI, Department of Public Works;
David Garcia, insurance expert;
Robert Boileau, building trade;
Marc Delany, Mayor's Office of Housing and Community Development, non-resident.)

(May 3, 1993 - Rereferred to Committee by the Board.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

[Appointments]
Resolution appointing members to the Emergency Medical Care Committee; making findings waiving residency requirement, terms expiring June 30, 1993, for new three-year terms ending June 30, 1996. (Rules Committee)

File 92-93-18, Resolution No. 461-93

(Jane Smith, S.F. Community College, vice Robert Neal;
Kathy Lenihan, American Heart Association, vice-self;
Robert C. Mackerisie, M.D., provider-at-large, vice-self;
Jeanne Bayliss, Emergency Nurses Association, vice Brian Trice;
Linda M. Mann, University of California, S.F., vice-self;
Walter Siegel, D.M.D. S.F. Dental Society, vice Steve Brattesani
Joseph Mignola, consumer;
Paul Miller, American Red Cross/Bay Area.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

[Appointments]
Resolution appointing members to the newly established National Service Blue Ribbon Commission. (Rules Committee)

File 92-93-24.1, Resolution No. 462-93

(Sid Smith, III;
Peter Gabel;
Agar Jaicks;
Sabrina Nellie Saunders;
Vicki Rega;
Jim Rivaldo;
John K. Noonan;
Jason K. Wong;
Lauri Irving;
Sherri Chiesa.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

From the President

Consideration Continued

[Redevelopment Strategic Plan]
To consider the Redevelopment Agency's Strategic Plan. (Supervisor Kennedy)

File 161-93-6

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Closed; Consideration Continued

[Public Hearing]
Hearing to consider ordinance extending the 6.5 percent commercial utility users tax rate through August 31, 1993 and to increase the tax rate to 7.5 percent, effective September 1, 1993, and amending to delete the sunset provision which extended the telephone users tax to interstate and international telephone communication services for the period from August, 1992 to June, 1993.

File 127-93-5.1

(A second public hearing as required by state law will be held on July 26, 1993.)

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

The item will be considered at a second public hearing on July 26, 1993.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Martha Hawthorne;
Ashley Kelley Johnson;
Cathy Perry;
Gar Tavai-Fiatoa;
Louise Vaughn;

Ace Washington;
R. J. Hampton;
Rodney Telmadge.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[State Legislation]
Resolution opposing AB 392 and AB 480 which would reduce the ability of local dispute resolution programs to arrange secure funding. (Supervisor Alioto)

File 12-93-18, Resolution No. 455-93

(June 7, 1993 - Introduced in Board for consideration on June 14, 1993.)

Adopted.

[Statue Honoring Albert Pike]
Resolution urging the Mayor to urge the President and Congress to remove from public grounds the statue of Albert Pike, a Grand Dragon of the Ku Klux Klan. (Supervisor Kennedy)

File 13-93-21, Resolution No. 457-93

(June 7, 1993 - Introduced in Board for consideration on June 14, 1993.)

Adopted.

[Commercial Condominium Project]
Motion approving final map of 1650 Jackson Street, being a resubdivision of Lot 16, in Assessor's Block 595; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-11

(June 7, 1993 - Introduced in Board for consideration on June 14, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Severed from Immediate Adoption Calendar

At the request of Supervisor Kennedy, the following measure wase severed from the Immediate Adoption Calendar and considered separately.

Adopted as Amended

[Funding for Youth Employment Program]
Resolution accepting $1 million of San Francisco Redevelopment Agency Funds to be used for the City's pilot disadvantaged and high risk youth employment program; authorizing the expenditure of those funds consistent with all applicable city requirements and Redevelopment Agency conditions; and urging the Mayor to see that these funds are expended consistent with the guidelines developed by the Task Force on Youth Employment for the use of the Redevelopment Agency's $1 million.

File 161-93-7, Resolution No. 430-93

Supervisor Kennedy presented for immediate adoption.

Supervisor Kennedy, seconded by Supervisor Migden, moved to amend page one, line 18, after "million of" by deleting "unallocated".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Conroy, Maher, Shelley - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

The Board thereupon resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-24, Resolution No. 428-93

(Mayor Frank Jordan, June 8 - 11; Willie B. Kennedy, member, Board of Supervisors, June 11 - 14; Susan Leal, member, Board of Supervisors, June 8 - 10; Raymond Baxter, Director of Health, May 24 and June 4 - 9; Barbara Cameron, member, Commission on the Status of Women, June 5 - 13; John E. Cribbs, Director, Department of Public Works, June 25 - July 5; Raymond Del Portillo, member, Commission on the Aging, June 9 - 13; Joe Grubb, Executive Director, Rent Board, June 2 - 10; Keith I. Marton, M.D., member, Health Commission, July 15 - 16; Anson B. Moran, General Manager, Public Utilities Commission, June 9 - 11; Patrick A. Murphy, President, Airports Commission, June 8 - 11; Roselyne C. Swig, member, Library Commission, May 28 - June 1; Resa Peay-Wainwright, member, Human Rights Commission, June 3- 9; David Yoder, member, Film and Video Arts Commission, June 7 - 13, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Ryan White AIDS CARE Funding]
Resolution urging full funding for the Comprehensive AIDS Resources Emergency (CARE) Act and restoration of the President's original budget request of $310 million in new CARE funding.

File 13-93-22, Resolution No. 429-93

Supervisors Alioto, Kaufman, Kennedy, Bierman, Hallinan, Leal presented for immediate adoption.

Adopted.

[Refuse Business Tax]
Resolution urging the Alameda County Board of Supervisors to reject the proposed business tax increase.

File 279-93-2, Resolution No. 431-93

Supervisors Kaufman, Migden, Leal, Shelley, Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Lease of Property]
Ordinance authorizing second amendment to lease of Water Department Land in San Francisco and San Mateo Counties with the Olympic Club (17.35 acres) (Supervisor Alioto presented.) Referred to Budget Committee with request it be considered at the July 7, 1993 meeting.

File 65-93-5

[Housing Authority Commissioner]
Ordinance amending Administrative Code by amending Section 12.2 which provides for the appointment of commissioners to the San Francisco Housing Authority, to declare that the Board of Supervisors shall be the commissioners of the San Francisco Housing Authority, and setting an effective date of October 1, 1993. (Supervisor Hallinan presented.) Referred to Government Efficiency and Labor Committee.

File 97-93-36

[Redevelopment Agency]
Ordinance amending Administrative Code by repealing Sections 24.1, 24.1-1 and 24.4 which established a Redevelopment Agency, the number of its members and their compensation and by adding a new Section 24.1, declaring the Board of Supervisors to be the Redevelopment Agency for the City and County of San Francisco, adopting findings

and setting an effective date of October 1, 1993. (Supervisor Hallinan presented.) Referred to Government Efficiency and Labor Committee.

File 97-93-37

[Business/Payroll Tax Registration and Exemption]
Substitute ordinance amending Municipal Code, Part III, by amending Sections 905-A, 1005.3, 1007 and 1007.3 to provide for graduated payroll expense tax rates and lower the qualifying maximum for the small business exemption to the payroll expense tax and to provide for graduated business registration fees and to reduce the qualifying maximum for the small business exemption to the business tax. (Supervisor Migden presented.) Referred to Budget Committee.

File 127-93-13

Referred to Board

[Zoning Map]
Resolution extending through and including July 31, 1993, the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors to amend the Zoning Map for properties generally described as Assessor's Block 2696, Lots 31, 33, 34 and 35 from RH-3 to Castro Street Neighborhood Commercial District; and to adopt findings pursuant to City Planning Code Section 101.1. (Supervisor Bierman presented.) Referred to Board June 21, 1993 For Adoption Without Committee Reference Calendar.

File 36-92-5.3

Referred to Committee

[Grant - Federal Funding]
Resolution authorizing the Mayor to apply for, accept and administer a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed $10 million for the Shelter Plus Care Program authorized under Section 837 of the National Affordable Housing Act of 1990, Public Law Number 101-625. There will be no direct or indirect costs associated with the acceptance of these grant funds. (Supervisor Shelley presented.) Referred to Government Efficiency and Labor Committee.

File 68-93-6

[Sale of Real Property]
Draft resolution confirming sale of surplus City-owned property (Water Department property located near Lake Merced Boulevard and John Muir Drive) to The Olympic Club. (Supervisor Alioto presented.) Referred to Budget Committee with request it be considered at the July 7, 1993 meeting.

File 96-93-1.2

Referred to Board

[Funding SSI Advocacy Program]
Resolution urging the Mayor to urge the Social Services Commission and the Health Commission to request increased funding for the SSI Advocacy Program for fiscal year 1993-1994. (Supervisor Kennedy presented.) Referred to Board June 21, 1993 For Adoption Without Committee Reference Calendar.

File 100-93-8

[Police Layoffs]
Resolution urging the Mayor to rescind the proposed layoffs to the Police Department. (Supervisors Maher, Shelley presented.) Referred to Board June 21, 1993 For Adoption Without Committee Reference Calendar.

File 100-93-9

[City Employee Layoff Process]
Resolution urging the Mayor to conduct all City employee layoff procedures in a fair manner and to provide the Board of Supervisors with weekly reports on the level of service reductions and employee layoff demographics for fiscal year 1993-1994. (Supervisor Kennedy presented.) Referred to Board June 21, 1993 For Adoption Without Committee Reference Calendar.

File 222-93-2

Referred to Committee

[Ballot Measure]
Resolution submitting to the qualified electors of the City and County a proposition authorizing the lease financing of city-wide radio communication systems and related equipments for various City departments including the Police, Fire, Sheriff, Parking and Traffic and Public Health Departments. (Supervisor Migden presented.) Referred to Budget Committee.

File 282-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 3.543 to permit the chief of the fire department to appoint two deputy chiefs of department from among those members of the department holding the rank of battalion chief or assistant chief. (Supervisor Hsieh presented.) Referred to Rules Committee.

File 241-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 3.670 relating to the composition of the Retirement Board of the City and County

Employees' Retirement System by adding a retired person to the Board. (Supervisor Shelley presented.) Referred to Rules Committee with request it be considered at the June 29, 1993 meeting.

File 245-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Sections 3.100-2, 3.661, 3.681, 3.682, 8.420, 8.429 and 8.515 and adding Sections 3.662 and 3.663, relating to the creation of and authority of a Human Resources Director. (Supervisor Kaufman presented.) Referred to Rules Committee.

File 248-93-1

[Ballot Measure]
Charter amendment (First Draft) repealing Sections 3.590 through 3.599, establishing and governing the Public Utilities Commission; adding Sections 3.511 through 3.511-5 establishing and governing a department of water and power under the chief administrative officer; adding new Sections 3.590 through 3.596, establishing a commission and department of public transportation and governing the same; and amending Sections 3.401, 3.521, 3.538, 6.200, 6.205, 6.401, 6.407, 6.407-1, 6.407-2, 7.312, 7.313, 7.402, 8.107 and 8.346 to conform to these changes. (Supervisor Migden presented.) Referred to Rules Committee.

File 250-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Sections 3.538 and 3.698-3 to transfer the function of administering the parking ticket enforcement program, including the control and management of parking control officers, parking offense towing and scofflaw programs and the issuance and disposition of parking citations, from the Department of Parking and Traffic to the Chief of Police, and to authorize the Board of Supervisors to transfer the administration of all or any part of said function from the Chief of Police to the head of any other department of the City and County of San Francisco. (Supervisor Maher presented.) Referred to Rules Committee.

File 252-93-1

[Ballot Measure]
Charter amendment (First Draft) repealing Sections 3.620 through 3.624, establishing and governing the Golden Gate Museums and adding new sections 3.620 through 3.624, establishing and governing the Fine Arts Museums of San Francisco, eliminating the enumeration of civil service positions for employees of the Fine Arts Museums and restructuring the fiscal and organizational structure of the Fine Arts Museums and the City and County of San Francisco and the

financing operations of the Fine Arts Museums of San Francisco. (Supervisor Conroy presented.) Referred to Rules Committee.

File 253-93-1

[Ballot Measure]
Charter amendment (First Draft) adding Sections 3.699-6 through 3.699-14 and amending Sections 8.105, 8.107 and 9.108 relating to the creation of an ethics commission and enforcement of ethics laws. (Supervisor Shelley presented.) Referred to Rules Committee with request it be considered at the June 29, 1993 meeting.

File 255-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 6.304 relating to disbursements in advance of revenues. (Supervisor Migden presented.) Referred to Rules Committee.

File 257-93-1

[Ballot Measure]
Charter amendment (Second Draft) amending Section 8.406 relating to the reduction of salaries of city employees and officials. (Supervisor Migden presented.) Referred to Rules Committee with request it be considered at the June 15, 1993 meeting.

File 261-93-1

[Ballot Measure]
Charter amendment (First Draft) adding Section 8.517-3 providing for early service retirement for miscellaneous employees. (Supervisor Conroy presented.) Referred to Rules Committee.

File 263-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Sections 8.590-1 through 8.590-7 relating to the bargaining of compensation and working conditions of District Attorney Investigators. (Supervisor Alioto presented.) Referred to Rules Committee.

File 265-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 3.674 relating to funding of the retirement system (to consider whether investment experience and personnel experience differs from the assumptions used in the actuarial valuation). (Supervisor Conroy presented.) Referred to Rules Committee.

File 267-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 3.674 relating to the funding of the retirement system (to extend the time period for amortizing unfunded prior service liabilities). (Supervisor Conroy presented.) Referred to Rules Committee.

File 268-93-1

[Ballot Measure]
Charter amendment (First Draft) adding Section 8.517-4 providing for early service retirement of police officers and firefighters. (Supervisor Conroy presented.) Referred to Rules Committee.

File 269-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 3.674 relating to the funding of the retirement system (to consider changes in the market value of retirement system assets in calculating actuarial liability). (Supervisor Conroy presented.) Referred to Rules Committee.

File 271-93-1

[Ballot Measure]
Charter amendment (First Draft) adding Section 3.662 relating to the creation and administration of an executive management corps. (Supervisor Kaufman presented.) Referred to Rules Committee.

File 273-93-1

[Ballot Measure]
Charter amendment (First Draft) adding Section 8.401-2 relating to employee and officer compensation (collective bargaining). (Supervisor Conroy presented.) Referred to Rules Committee.

File 280-93-1

Requests for Hearings:

File 123-93-5, By Supervisor Migden: To consider the establishment of recurring street use occupancy fees. Referred to Budget Committee.

File 207-93-3.1, By Supervisor Migden: To consider creating a 911 standby service fee. Referred to Budget Committee with request it be considered at a special meeting on June 23, 1993.

File 217-93-3, By Supervisor Kennedy: To consider feasibility of the Human Rights Commission providing oversight for the South Africa Divestiture ordinance. Referred to Economic Vitality and Social Policy Committee.

Motions

Referred to Board

File 30-93-5.7 [Needle Exchange] Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto presented.) Referred to Board June 21, 1993 For Adoption Without Committee Reference Calendar.

Referred to Committee

File 56-93-4 [Committee Membership] Motion amending the Rules of Order of the Board of Supervisors to permit the President to serve as an ex officio member of all Board committees when only one regular committee member is present, in order to enable a committee to meet, by adding Rule 3.25. (Supervisor Kennedy presented.) Referred to Rules Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 27-93-12. [Airport Lease Modification] Approving Modification to the lease for International Terminal Duty Pay Principal Concession Lease between DFS-West, a Division of DFS Group L.P. and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Government Efficiency and Labor

File 45-93-48. [Settlement of Lawsuit] Approving the dismissal of litigation of Eureka Federal Savings and Loan Association of San Francisco and the City and County of San Francisco for no money payment. (City Attorney) Government Efficiency and Labor

File 45-93-49. [Settlement of Lawsuit] Authorizing settlement of litigation of Dawn Walker and Cynthia Cannonier against the City and County of San Francisco by payment of $35,000. (City Attorney) Government Efficiency and Labor

File 45-93-50. [Settlement of Lawsuit] Authorizing settlement of litigation of Bay View Federal Savings and Loan Association in the sum of $300,714.85 (consisting of $185,995.09 in tax refunds and $114,719.76 in interest) to be paid in four equal annual installments with no interest on the deferred payments. (City Attorney) Government Efficiency and Labor

File 46-93-10. [Settlement of Lawsuit] Authorizing settlement of City and County of San Francisco v. David Menasco, Willis Menasco, et al., upon receipt of the sum of $7,400 and dismissal of complaint. (City Attorney) Government Efficiency and Labor

File 97-93-30.1. [General Assistance Fingerprint Identification] Amending the Administrative Code by adding Section 20.56.14 to

permit the implementation of a Fingerprint Identification System for general assistance recipients. (Department of Social Services) Economic Vitality and Social Policy

File 97-93-35. [Cash Revolving Fund for Office of Citizen Complaints] Amending Administrative Code by adding Section 10.169-10, establishing a cash revolving fund for the Office of Citizen complaints in the amount of $1,000. (Police Commission) Budget

Resolutions Referred to Committee

File 47-92-8.1. [Award of Management Agreement] Confirming award of the management agreement for the Vallejo Street Garage (766 Vallejo Street) to City Parking Company; companion measure to File 47-92-8. (Real Estate Department) Government Efficiency and Labor

File 25-93-15. [Contracting Out City Services] Concurring with the Controller's certification that the weekend and holiday security guard services can be practically performed for the Department of Public Health, SFGH, Substance Abuse Services by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health) Government Efficiency and Labor

File 48-93-15. [Settlement of Claim] Approving the settlement of the unlitigated claim of Household Finance Corp., of California in the sum of $11,172.10 (including $9,962.81 in tax refunds and $1,209.29 in interest) to be paid in four equal annual installments with no interest on the deferred payments. (City Attorney) Government Efficiency and Labor

File 146-93-27. [Grant - Federal through the State Funds] Authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for a grant up to the amount of $29,468,393 which excludes indirect costs, from the United States Department of Health and Human Services, Center for Substance Abuse Treatment through the State of California, Department of Alcohol and Drug Programs for enhancement and augmentation of substance abuse treatment services for persons who are identified as "Critical Populations"; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 146-93-28. [Grant - Federal through the State Funds] Authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for a grant up to the amount of $17,499,223 which excludes indirect costs, from the United States Department of Health and Human Services, Center for Substance Abuse Treatment through the State of California, Department of Alcohol and Drug Programs to provide centralized substance abuse treatment enhancement and placement services in San Francisco as a "Target City"; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 146-93-29. [Grant - Federal through the State Funds] Authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for a grant up to the amount of $13,122,590 which excludes indirect costs, from the United States Department of Health and Human Services, Center for Substance Abuse Treatment through the State of California, Department of Alcohol and Drug Programs for residential substance abuse treatment services for women and their children; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 146-93-30. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $6,500,000, which includes indirect costs based on twenty percent of personnel costs from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Prevention Project. (Department of Public Health) Government Efficiency and Labor

File 146-93-31. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $3,000,000, which includes indirect costs based on twenty percent of personnel costs from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Surveillance Project. (Department of Public Health) Government Efficiency and Labor

File 146-93-32. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $2,000,000, which includes indirect costs based on twenty percent of personnel costs from the Department of Health and Human Services, Centers for Disease Control, to continue funding the Epidemilogic Study of the Natural History and HIV Incidence in Homosexual and Bisexual Men Recruited from the San Francisco STD City Clinic. (Department of Public Health) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that City Attorney prepare charter amendment which would reform the present wage-setting formula in San Francisco.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Joan Garsha (Supervisor Kennedy)
Lucille M. Allin (Supervisor Kennedy)
Hugh Bell (Supervisor Bierman)
Matthew Cavagnaro (Supervisor Kaufman)
Spiron J. Tantes (Supervisor Conroy)

File 2-93-24

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:03 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, June 14, 1993

Approved by the Board of Supervisors on November 8, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

c. 2

Vol. 88 No. 25

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Monday, June 21, 1993
Wednesday, June 23, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 21, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Hsieh, Kennedy, Maher - 3.

Quorum present.

Supervisor Hsieh was noted present at 2:18 p.m.

Supervisor Kennedy excused. (See infra.)

Supervisor Maher was noted present at 2:17 p.m.

Supervisor Kennedy Excused

The Clerk announced that Supervisor Kennedy is ill and requested to be excused from attending today's meeting.

Supervisor Maher, seconded by Supervisor Kaufman, moved to excuse Supervisor Kennedy from attendance today.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Kennedy - 2.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Kaufman, seconded by Supervisor Migden, moved that the Journal of Proceedings for Monday, January 4, 1993, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Kennedy, Maher - 3.

COMMUNICATION

The Clerk presented a communication from his Honor, the Mayor, returning with his veto the following resolution:

Consideration Continued

[Democracy in Haiti]
Resolution urging the Mayor to urge President Bill Clinton and the United States Congress to use all available means to achieve the return to democracy in Haiti and to assist in fully restoring President Aristide to his office as the duly elected leader of Haiti.

File 13-93-20

The Clerk announced that pursuant to Board of Supervisors' Rule 2.9a, the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is read to the Board; accordingly, the above subject matter will be placed on the June 28, 1993 agenda.

The Clerk presented a communication from the Registrar of Voters, dated June 18, 1993, certifying the results of the votes cast at the election held on June 15, 1993 (copy of which is contained in File 60-93-2.1).

Referred to Board

[Election Declaration]
Motion declaring the results of the Special Election conducted June 15, 1993, in the City and County of San Francisco.

File 60-93-2.1

Supervisor Alioto presented for Board consideration for the June 28, 1993 For Adoption Without Committee Reference Calendar.

Date of Special Meeting Fixed

President Alioto announced that she is calling a special meeting for Wednesday, June 23, 1993, at 1:00 p.m. to consider the Interim Annual Appropriation Ordinance for fiscal year 1993-94 (File 101-93-1) and the Interim Annual Salary Ordinance for fiscal year 1993-94 (File 102-93-1).

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Victoria Got against the City and County, by payment of $65,000. (City Attorney)

File 45-93-38, Ordinance No.

(Superior Court No. 933-015.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Patricia Bright against the City and County, by payment of $16,666.66. (City Attorney)

File 45-93-39, Ordinance No.

(Superior Court No. 935-915.)

Passed for second reading.

[Settlement of Litigation]
Ordinance approving the dismissal of litigation of Eureka Federal Savings and Loan Association of San Francisco and the City and County for no money payment. (City Attorney)

File 45-93-48, Ordinance No.

(Superior Court No. 794-931.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Daniel Hubbard and Karen Hubbard v. American Rubber Manufacturing Company, Inc., et al., upon receipt of the sum of $5,000 and a compromise and release and dismissal of complaint. (City Attorney)

File 46-93-9, Ordinance No.

(Superior Court No. 921-728.)

Passed for second reading.

Adopted

[AB 75 Capital Outlay Plan]
Resolution authorizing amendment to the AB 75 Capital Outlay Plan for the City and County of San Francisco, as adopted by Resolution Nos. 125-91 and 822-91 to revise one San Francisco Department of Public Health/Mental Health Services Project, and to add one San Francisco DPH/Mental Health Services Project. (Department of Public Health)

File 30-92-4.2, Resolution No. 470-93

Adopted.

[Contracting Out City Services]
Resolution concurring with the Controller's certification that revenue collection services for parking meters of the Department of Parking and Traffic can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Department of Parking and Traffic)

File 25-93-7, Resolution No. 476-93

Adopted.

[Contracting Out City Services]
Resolution approving the Controller's certification that the San Francisco "O.R." Project for the City and County, can practically be performed by private contraction at a lower cost for the year commencing July 1, 1993 than if work were performed by City and County employees. (Sheriff Department)

File 25-93-10, Resolution No. 475-93

Adopted.

[Contracting Out City Services]
Resolution approving the Controller's certification that the Pretrial Diversion Program for the City and County, can practically

be performed by private contraction at a lower cost for the year commencing July 1, 1993 than if work were performed by City and County employees. (Sheriff Department)

File 25-93-11, Resolution No. 477-93

Adopted.

[Contracting Out City Services]
Resolution approving the Controller's certification that the Eviction Assistance Program for the City and County, can practically be performed by private contraction at a lower cost for the year commencing July 1, 1993 than if work were performed by City and County employees. (Sheriff Department)

File 25-93-12, Resolution No. 478-93

Adopted.

[Contracting Out City Services]
Resolution approving the Controller's certification that County Jail Food Management Operations for the City and County, can practically be performed by private contraction at a lower cost for the year commencing July 1, 1993 than if work were performed by City and County employees. (Sheriff Department)

File 25-93-13, Resolution No. 479-93

Adopted.

[Contracting Out City Services]
Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract for a lower cost than similar work services performed by City and County employees. (District Attorney)

File 25-93-14, Resolution No. 480-93

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Sam San Filippo, by payment of $9,063.33. (City Attorney)

File 48-93-14, Resolution No. 484-93

Adopted.

[Contract Award Extension]
Resolution granting extension of time for awarding San Francisco Water Department Contract No. WD-2089R, 12 and 8-inch ductile iron main installation in Powell Street between Lombard and Jefferson Streets and Mason Street between Lombard and Chestnut Streets. (Public Utilities Commission)

File 61-93-4, Resolution No. 471-93

Adopted.

[Extension of Existing Real Property Lease]
Resolution authorizing extension of an existing lease of real property at 160 South Van Ness Avenue for the Controller's Payroll and Internal Audits Division. (Real Estate Department)

File 64-93-9, Resolution No. 486-93

Adopted.

Recommendation of Health, Public Safety and Environment Committee

Finally Passed

[Lead Hazard Reduction Advisory Committee]
Ordinance amending Health Code, to add two additional members to the Lead Hazard Reduction Citizens Advisory Committee. (Supervisor Bierman)

File 118-93-4, Ordinance No. 215-93

(Amends Section 1608.)

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding Section 1510 re-establishing the official widths of sidewalk on Harrison Street between 15th and 18th Streets; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-93-3, Ordinance No. 216-93

Finally passed.

[Building Code]
Ordinance amending Building Code, to define and set new repair standards for damaged buildings, permit the partial strengthening of undamaged buildings and correct minor typographical errors in Ordinance No. 156-92 and adopting findings. (Supervisor Hsieh)

File 114-92-9.1, Ordinance No. 218-93

(Amends Section 104(b).)

Finally passed.

[Building Code]
Ordinance amending Building Code to require fire-resistive glazing to conform with safety glazing requirements in human impact locations. (Supervisor Hsieh)

File 114-92-10, Ordinance No. 214-93

(Amends Sections 4306(i) and 5406(c).)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Finally Passed

[Government Funding]
Ordinance appropriating $64,744, Adult Probation, for professional services (California Community Dispute Services); providing for ratification of action previously taken. (Supervisor Alioto)

File 101-92-86, Ordinance No. 217-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Salary Standardization - Registered Nurse]
Ordinance modifying schedules of compensation for persons employed by the City and County, the San Francisco Community College District, the San Francisco Unified School District, whose compensations are subject to the provisions of Section 8.403 of the Charter and as set forth in Ordinance 203-92, effective July 1, 1993. (Civil Service Commission)

File 103-93-1, Ordinance No. 213-93

(May 19, 1993 - The Board, by Motion, extended the deadline for passage for second reading to June 21 and for final passage on June 28, 1993.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Noes: Supervisors Kaufman, Leal - 2.

Absent: Supervisor Kennedy - 1.

NEW BUSINESS

Recommendations of Budget Committee

Consideration Continued as Amended

(Supervisor Hsieh dissenting in Committee.)

[Parking Tax]
Ordinance amending Part III, Municipal Code, to terminate the suspension of one-half of the ten percent parking tax surcharge and ((to change the payment and reporting periods for the parking tax from quarterly to monthly)) to require monthly prepayments of the parking taxes effective October 1, 1993. (Supervisor Migden)

File 127-93-8, Ordinance No.

(Repeals Section 602.5-2;
Amends Sections 608, 609 and 610.)

Supervisor Migden, seconded by Supervisor Maher, moved to amend to require monthly prepayments of the parking tax (City Attorney to prepare legislation).

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Supervisor Conroy, seconded by Supervisor Maher, moved to continue consideration, as amended, to August 30, 1993.

Motion to continue, as amended, adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Municipal Railway Fare Increases]
Resolution making a finding concerning proposed revisions of the San Francisco Municipal Railway fare schedule. (Public Utilities Commission)

File 7-93-9, Resolution No. 474-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

From Budget Committee With Recommendation "Do Not Pass"

Question Divided; Consideration Continued As Divided

[Municipal Railway Fare Increases]
Resolution approving a revised fare schedule for the San Francisco Municipal Railway. (Public Utilities Commission)

File 7-93-9.1, Resolution No.

At the request of Supervisor Hsieh, the question was divided with respect to the cable car fare schedule, so that matter could be considered separately.

Supervisor Hsieh, seconded by Supervisor Maher, moved to continue consideration, as divided, to July 12, 1993.

Motion to continue consideration adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Consideration Continued

[Cable Car Fares]
Resolution approving a revised cable car fare schedule for the San Francisco Municipal Railway.

File 7-93-9.2, Resolution No.

Supervisor Hsieh, seconded by Supervisor Maher, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Budget Committee

Adopted

[Airport Administration]
Resolution approving Airport Contract No. 3249, approving a declaration of emergency, emergency asbestos removal, lower roadway lights, San Francisco International Airport - $105,000. (Airport Administration)

File 27-93-11, Resolution No. 481-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

[Funding, Substance Abuse Services]
Resolution declaring the intent of the Board of Supervisors to appropriate $400,000 from funds paid by the City in jail overcrowding fines paid pursuant to the court order issued in City and County of San Francisco v Stone for use in conjunction with

grant funds from the United States Department of Health and Human Services for a program of community substance abuse treatment services designed to decrease the jail population. (Supervisors Migden, Alioto)

File 152-93-2, Resolution No. 447-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Kennedy - 2.

[Reimbursement Resolution]
Resolution declaring the intent of the City and County to reimburse certain capital expenditures, Fine Arts Museum (M. H. deYoung Memorial Museum) from proceeds of future indebtedness; and approving and ratifying previous actions. (Supervisor Alioto)

File 283-93-1, Resolution No. 494-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Kennedy - 2.

Recommendations of Government Efficiency and Labor Committee

Adopted

[Extension of Existing Real Property Lease]
Resolution authorizing extension of an existing lease of real property at 1975-99 Bryant Street for the Department of Parking and Traffic. (Real Estate Department)

File 64-93-8, Resolution No. 485-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Kennedy - 2.

[Summer Food Program]
Resolution authorizing the Mayor to apply for, accept and expend $767,946 from the United States Department of Agriculture (USDA) to sponsor the Summer Food Service Program for needy children; providing for ratification of action previously taken. (Mayor)

File 68-93-5, Resolution No. 487-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

[Official Newspaper]
Resolution designating certain newspapers to be official newspapers of the City and County for official advertising. (Supervisor Hallinan)

File 112-93-1, Resolution No. 472-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden - 9.

Absent: Supervisors Kennedy, Shelley - 2.

Adopted as Amended

[Official Newspaper]
Resolution designating the San Francisco Independent as an official newspaper of the City and County, commencing July 1, 1993, on an interim basis not to exceed three months, for all official advertising of the City and County which is required by law to be published ((more than)) one time but not more than three times a week. (Supervisors Hallinan, Kaufman, Leal)

File 112-93-1.1, Resolution No. 473-93

Supervisor Hallinan, seconded by Supervisor Kaufman, moved to amend title, line five, after "published" by deleting "more than".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Grant - Federal Funds]
Resolution authorizing the Department of Social Services to apply for a Federal grant in the amount of $100,000 which includes indirect cost of $5,660 from the U.S. Department of Agriculture, Food and Nutrition Service, for Food Stamp Outreach and Client Assistance Services; providing for ratification of action previously taken. (Department of Social Services)

File 153-93-2, Resolution No. 491-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

[Grand Jury Reports]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1992-93 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to San Bruno Jail No. 3/Kitchen Inspection and City Planning Department and the Master Plan. (Government Efficiency and Labor Committee)

File 39-93-1.3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Rules Committee

Adopted

[Appointments]
Resolution appointing members to the newly established Joint Task Force on the HIV Epidemic. (Rules Committee)

File 92-93-14.1, Resolution No. 488-93

(Sean Sasser;
Rick Pacurar;
Michael Shriver;
Eileen Hansen;
Rafael Chang;
William Brandy Moore;
Joe Caruso;
Robert Nelson;
Charles Caulfield.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

Consideration Continued

[Rules of Order]
Motion amending the Rules of Order of the Board of Supervisors to permit the President to serve as an ex-officio member of all board committees when only one regular committee member is present, in order to enable a committee to meet, by adding Rule 3.25. (Supervisor Kennedy)

File 56-93-4

(Rule 1.3 of the Board of Supervisors' Rules of Order provides that an amendment to the Rules may, after one week's notice given by inclusion in the Board Calendar, be adopted by an affirmative recorded vote of two-thirds of all members of the Board.

In accordance therewith, consideration appropriately may be continued at least one week.)

Supervisor Hsieh, seconded by Supervisor Migden, moved to continue consideration to June 28, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

From Rules Committee
With Recommendation "DO SUBMIT"

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Consideration Continued

[Ballot Measure]
Charter amendment (First Draft) amending Section 2.200 to permit the Board of Supervisors to hold special meetings in San Francisco in locations other than in City Hall. (Supervisors Shelley, Bierman, Alioto)

File 180-93-1

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to continue consideration to June 28, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

In connection with the above item, Supervisor Hallinan requested to be removed as a co-sponsor.

[Ballot Measure]
Charter amendment (First Draft) amending Section 2.200 to permit the committees of the Board of Supervisors to hold special meetings in San Francisco in locations other than in City Hall. (Supervisors Shelley, Hallinan)

File 204-93-1

Supervisor Migden, seconded by Supervisor Bierman, moved to continue consideration to June 28, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

In connection with the above item, Supervisor Hallinan requested to be added as a co-sponsor.

[Ballot Measure]
Charter amendment (First Draft) amending Section 7.309 relating to financing construction or improvement of capital facilities or purchase of equipment. (Supervisor Hsieh)

File 240-93-1

Supervisor Migden, seconded by Supervisor Bierman, moved to continue consideration to June 28, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

[Ballot Measure]
Charter amendment (First Draft) amending Sections 7.100 and 7.103 relating to purchases of materials, supplies and equipment for the City and County. (Supervisor Migden)

File 258-93-1

Supervisor Migden, seconded by Supervisor Bierman, moved to continue consideration to June 28, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing on the proposed Sutro Heights Underground Assessment District for the undergrounding of utilities and the installation of street lighting.

File 229-93-3

Denise Brady, representing the Department of Public Works, gave a brief history of the proposed request to form the district and indicated that thirty percent of the property owners are opposing the proposed district.

The privilege of the floor was granted to the following persons:

Henry Katzman, oppose;
John Anser, in support;
Paula Yue;
Margaret Turner, in support;
Concerned resident, in support;
Jim Herst, in support;
Richard, in support;
Marlo, in support;
Bruce, in support;
Jim Lindsay, in support;
Concerned resident, in support;

Jim Shapiro, in support;
Concerned resident, in support;
Concerned resident, in support;
Eileen Corning, in support;
Doris, in support;
Mildred Johnson, in support;
Jack, in support;
Lawrence Cole;
Lynn Schmake, in support;
Catherine Schler;
David Evans;
Evelyn Percale;
Concerned resident.

Adopted

[Lighting Assessment District]
Resolution announcing the formation of Assessment District No. 92-1 pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the Public Works Code for the purposes of installing street lighting in the Sutro Heights District; confirming the diagram and assessments as described in the Engineer's Report; ordering the improvements; and levying the first annual assessment. (Supervisor Maher)

File 229-93-3, Resolution No. 493-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Shelley - 9.

Absent: Supervisors Kennedy, Migden - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held; Consideration Continued

[Public Hearing]
Hearing to consider Ordinance amending Part III, Municipal Code, establishing a new business classification for passenger vehicle rental businesses and to increase the tax rate from .3 percent to 7.0 percent for this classification as of September 1, 1993.

File 127-93-7

(Amends Section 1004.17;
Adds Section 1004.18.)

(A second public hearing as required by State law will be held on July 26, 1993.)

The privilege of the floor was granted to the following persons:

George Wong, small business owner;
Michael Rowman, A-1 Rental;
Ken, 415 Taylor Street;
Steve, Alamo Rental Car;
Bryce Thompson, Avis Rental Car;
Ms. Connor, AVIS;
Paul, Hertz Corporation;
Mike Alberto, Budget Rent A Car;
John Testa;
Patricia Black, Bay Area Rental;
Beverly;
Concerned speaker;
Patricia Vaughey;
Phil Catrala;
Susan Spiderman.

The President declared the hearing closed and continued the public hearing to July 26, 1993.

SPECIAL ORDER - 3:00 P.M.

Amendment of the Whole Adopted;
Question Divided; Hearing Held;
Consideration Continued As Divided

[Public Hearing]
((Hearing to consider Ordinance amending the Municipal Code, Part III, increasing transient occupancy tax surcharge from 1.75 percent to 2.75 percent effective August 15, 1993 to fund the Fine Arts Museums of San Francisco and the Asian Art Museum of San Francisco, to reduce the percentage of the transient occupancy tax allocated to administration thereof and to limit certain fiscal year 1993-94 allocations to the amounts allocated in fiscal year 1992-93.))

Hearing to consider Ordinance amending the Municipal Code, Part III, by amending Section 502.5 to increase transient occupancy tax surcharge from 1.75 percent to 2.75 percent effective August 15, 1993 and by amending Sections 508, 509 and 510 to require monthly prepayments of transient occupancy taxes effective October 1, 1993.

File 127-93-10

(Amends Sections 502.5, 515.)

(A second public hearing as required by State law will be held on July 26, 1993.)

Supervisor Migden, seconded by Supervisor Hsieh, moved an amendment of the whole entitled, "Ordinance amending the Municipal Code, Part III, by amending Section 502.5 to increase transient occupancy tax surcharge from 1.75 percent to 2.75 percent effective August 15, 1993 and by amending Sections 508, 509 and 510 to require

monthly prepayments of transient occupancy taxes effective October 1, 1993 and by amending Section 515 to fund the Fine Arts Museums of San Francisco and the Asian Art Museum of San Francisco, to reduce the percentage of the transient occupancy tax allocated to administration thereof and to limit certain fiscal year 1993-94 allocations to the amounts allocated in fiscal year 1992-93."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

At the request of Supervisor Migden, the question was divided with respect to the Fine Arts and Asian Art Museums, so the matter could be considered separately.

The privilege of the floor was granted to the following persons:

Patricia Vaughey;
Bob Begley;
Dehnert Queen.

The President then declared the first public hearing closed and continued the item, as divided, to a second public hearing on July 26, 1993.

Consideration Continued

[Transient Occupancy Tax]
Ordinance amending the Municipal Code, Part III, by amending Section 515 to fund the Fine Arts Museums of San Francisco and the Asian Art Museum of San Francisco, to reduce the percentage of the transient occupancy tax allocated to administration thereof and to limit certain fiscal year 1993-94 allocations to the amounts allocated in fiscal year 1992-93."

File 127-93-10.1, Ordinance No.

Supervisor Kaufman, seconded by Supervisor Migden, moved to continue consideration June 28, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

SPECIAL ORDER - 3:00 P.M.

Amendment of the Whole Adopted;
Hearing Held; Consideration Continued As Amended

[Public Hearing]
((Hearing to consider Ordinance amending the Municipal Code, Part III, increasing transient occupancy tax surcharge from 1.75 percent to 3.75 percent and to fund the Fine Arts Museums of San Francisco and the Asian Art Museum of San Francisco, to reduce the percentage of the transient occupancy tax allocated to administration thereof and to limit fiscal year 1993-94 allocations to the amounts allocated in fiscal year 1992-93.))

Hearing to consider Ordinance amending the Municipal Code, Part III, by amending Section 502.5 to increase transient occupancy tax surcharge from 1.75 percent to 3.75 percent effective August 15, 1993 and by amending Sections 508, 509 and 510 to require monthly prepayments of transient occupancy taxes effective October 1, 1993.

File 127-93-11

(Amends Sections 502.5 and Section 515.)

(A second public hearing as required by State law will be held on July 26, 1993.)

Supervisor Migden, seconded by Supervisor Kaufman, moved an amendment of the whole entitled, "Ordinance amending the Municipal Code, Part III, by amending Section 502.5 to increase transient occupancy tax surcharge from 1.75 percent to 3.75 percent effective August 15, 1993 and by amending Sections 508, 509 and 510 to require monthly prepayments of transient occupancy taxes effective October 1, 1993."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

The following persons were granted privilege of the floor:

Patricia Vaughey;
Dehnert Queen.

The President then declared the first public hearing closed and continued the item, as amended, to a second public hearing on July 26, 1993.

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public Hearing]
Hearing to consider Ordinance amending Municipal Code, Part III, to apply the tax to cellular telephone users effective September 1, 1993, to increase the interest rate assessed against delinquent accounts and making technical amendments to Section 708 and 710 to clarify liability for taxes imposed by this article.

File 127-93-12

(Amends Sections 701, 703, 708 and 710.)

(A second public hearing as required by State law will be held on July 26, 1993.)

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the first public hearing closed and continued the matter to a second public hearing on July 26, 1993.

SPECIAL ORDER - 3:00 P.M.

[Public Hearing]
Hearing to consider Ordinance providing for graduated payroll expense tax rates and lower the qualifying maximum for the small business exemption to the payroll expense tax, and to provide for graduated business registration fees and to reduce the qualifying maximum for the small business exemption to the business tax.

File 127-93-13

(Amends Sections 903.1, 905-A, 1005.3, 1007 and 1007.2.)

(A second public hearing as required by State law will be held on July 26, 1993.)

The privilege of the floor was granted to the following persons:

Sue Lee;
Shelley Salieri;
Patricia Vaughey;
Steven Cornell;
Dehnert Queen;
John Kearney.

The President declared the first public hearing closed and continued the matter to the public hearing on July 26, 1993.

COMMITTEE REPORTS

Recommendation of Rules Committee

Adopted

[Federal Legislative Representative]
Resolution ratifying the Mayor's appointment of Marilyn Berry Thompson as the Federal Legislative Representative for the City and County. (Mayor)

File 33-93-5, Resolution No. 482-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Shelley - 8.

Absent: Supervisors Conroy, Kennedy, Migden - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Patricia Vaughey;
Dehnert Queen;
Jack Melcart;
Susan Snyder;
Shelley Salieri;
Walter Johnson;
Rev. Tomas Fernandez;
Troy Dangerfield;
Chuck Newberg;
Gary Delancey;
R. J. Hampton.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Maher requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Police Layoffs]
Resolution urging the Mayor to rescind the proposed layoffs to the Police Department. (Supervisors Maher, Shelley, Hsieh, Alioto)

File 100-93-9, Resolution No.

(June 14, 1993 - Introduced in Board for consideration on June 21, 1993.)

At the request of Supervisor Maher, referred to Budget Committee.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Zoning Map]
Resolution extending through and including July 31, 1993, the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors to amend the Zoning Map for properties generally described as Assessor's Block 2696, Lots 31, 33, 34 and 35 from RH-3 to Castro Street Neighborhood Commercial District; and to adopt findings pursuant to City Planning Code Section 101.1. (Supervisor Bierman)

File 36-92-5.3, Resolution No. 483-93

(June 14, 1993 - Introduced in Board for consideration on June 21, 1993.)

Adopted.

[Funding SSI Advocacy Program]
Resolution urging the Mayor to urge the Social Services Commission and the Health Commission to request increased funding for the SSI Advocacy Program for fiscal year 1993-1994. (Supervisor Kennedy

File 100-93-8, Resolution No. 489-93

(June 14, 1993 - Introduced in Board for consideration on June 21, 1993.)

Adopted.

[City Employee Layoff Process]
Resolution urging the Mayor to conduct all City employee layoff procedures in a fair manner and to provide the Board of Supervisors with weekly reports on the level of service reductions and employee layoff demographics for fiscal year 1993-1994. (Supervisor Kennedy)

File 222-93-2, Resolution No. 492-93

(June 14, 1993 - Introduced in Board for consideration on June 21, 1993.)

Adopted.

[Needle Exchange]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto)

File 30-93-5.7

(June 14, 1993 - Introduced in Board for consideration on June 21, 1993.)

Adopted.

[Condominium Project]
Motion approving final map of 1805-1807 San Jose Avenue, being a resubdivision of Lot 50, in Assessor's Block 3145; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-12

(June 14, 1993 - Introduced in Board for consideration on June 21, 1993.)

Adopted.

[Condominium Project]
Motion approving final map of 463-473 Buena Vista Avenue East, being a resubdivision of Lot 58, in Assessor's Block 2607; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-13

(June 14, 1993 - Introduced in Board for consideration on June 21, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Maher, Shelley - 7.

Absent: Supervisors Kaufman, Kennedy, Leal, Migden - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-25, Resolution No. 449-93

(Mayor Frank Jordan, June 19 - 22; Bill Maher, member, Board of Supervisors, June 25 - 29; James K. Ho, member, Airports Commission, June 15 - July 12; J. Stanley Mattison, Vice President, Airports Commission, June 10 - 14 and 16 - 22; Anthony D. Ribera, Chief of Police, June 27 - July 2, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Street Closing]
Resolution authorizing temporary closing of a portion of Golden Gate Avenue, between Baker and Lyon Streets and Lyon Street, between Turk and McAllister Streets, Sunday, July 4, 1993, from 8:00 a.m. to 8:00 p.m. for the annual Golden Gate Community Association Annual Block Picnic.

File 42-93-25, Resolution No.450-93

Supervisor Shelley presented on behalf of Supervisor Migden for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Harriet Street, between Folsom and Harrison Streets, Saturday, June 26, 1993, through Sunday, June 27, 1993, from 6:00 p.m. to 2:00 a.m. for Gay Pride Party.

File 42-93-26, Resolution No. 451-93

Supervisor Shelley presented on behalf of Supervisor Migden for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Eddy Street, between Van Ness Avenue and Polk Street, Monday, June 28, 1993, through Tuesday, June 29, 1993, 6:30 a.m. to 8:00 p.m. daily; (whenever possible street to be opened for "limited access") for filming a motion picture.

File 42-93-27, Resolution No. 452-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Filbert Street, between Hyde and Leavenworth Streets, Saturday, June 26, 1993, from 7:00 a.m. to 12 noon; or Sunday, June 27, 1993, from 7:00 a.m. to 12 noon for the filming of a commercial.

File 42-93-28, Resolution No. 453-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Text Amendment]
Resolution extending to October 15, 1993 the time for the City Planning Commission to render its decision on an amendment to City Planning Code Section 719.25 initiated by the Board of Supervisors to allow for drive-up facilities as a conditional use in the Haight Street Neighborhood Commercial District.

File 115-93-2.2, Resolution No. 454-93

Supervisor Hsieh presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Maher, Shelley - 7.

Absent: Supervisors Kaufman, Kennedy, Leal, Migden - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Mechanical Amusement Devices]
Ordinance amending Police Code by amending Section 1036.31 which prohibits mechanical amusement devices in buildings in certain locations, to permit mechanical amusement devices in buildings with mixed residential and commercial use by a permit issued by the Police Department. (Supervisor Hallinan presented.) Referred to Health, Public Safety and Environment Committee.

File 121-93-9

[Condominium Conversion]
Ordinance amending Subdivision Code by adding Sections 1400 through 1409 to permit the conversion of 1,200 residential rental units to condominiums or other ownership subject to certain requirements and to assess a general excise tax of $10,000 per unit converted for deposit in the general fund for use for general governmental purposes. (Supervisor Leal presented on behalf of Supervisor Kennedy.) Referred to Housing and Land Use Committee.

File 126-93-1

[Payroll Expense and Business Tax Increases]
Ordinance amending Part III, Municipal Code, by amending Section 903.1 to increase the payroll expense tax from 1.5 percent to 1.7 percent for payroll expenses in excess of $166,667 and by adding Section 1004.19 to impose an additional business tax on gross receipts exceeding specified amounts. (Supervisor Hallinan presented.) Referred to Budget Committee.

File 127-93-15

Referred to Board

[Muni Revenue]
Resolution urging the Mayor to urge the Public Utilities Commission to begin implementation of revenue generating measures for the Municipal Railway for the next fiscal year. (Supervisor Shelley presented.) Referred to Board June 28, 1993 For Adoption Without Committee Reference Calendar.

File 7-93-11

Referred to Committee

[Ballot Measure]
Charter amendment (First Draft) amending Sections 8.559-4, 8.559-5, 8.585-4, 8.585-5, 8.586-4, 8.586-5, 5.588-4 and 8.588-5 relating to pension benefits for surviving spouses of police officers and firefighters. (Supervisor Maher presented.) Referred to Rules Committee with request it be considered at the June 29, 1993 meeting.

File 264-93-1

[Ballot Measure]
Charter amendment (First Draft) adding Section 8.500-2 providing for the modification of retirement benefits by ordinance. (Supervisor Maher presented.) Referred to Rules Committee with request it be considered at the June 29, 1993 meeting.

File 289-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Sections 8.100, 9.103, 9.104, 9.108, 9.109, 9.110, 9.111, 9.113 and 9.114 and adding Section 9.103-1 and repealing Section 9.100-2 relating to elections. (Supervisor Bierman presented.) Referred to Rules Committee.

File 266-93-1

Requests for Hearings:

File 32-93-4, By Supervisor Bierman: To consider the Telecommunications Policy Committee recommendations concerning cable television franchise. Referred to Economic Vitality and Social Policy Committee.

Introduced by the President at the Request of Departments

Ordinance Referred to Committee

File 46-93-11. [Settlement of Lawsuit] Authorizing settlement of Clint Pierce v. Oakland Open Fence Company, et al., upon receipt of the sum of $4,800 and release of lien. (City Attorney) Government Efficiency and Labor

Resolutions Referred to Committee

File 172-92-22.1. [Contract Modification] Authorizing the Municipal Railway to modify an existing contract with Breda Costruzioni Ferroviarie S.p.A. (Public Utilities Commission) Government Efficiency and Labor

File 25-93-16. [Contracting Out City Services] Concurring with the Controller's certification that Budget Analyst Services can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Clerk of the Board) Government Efficiency and Labor

File 35-93-1.1. [Reopening of Twenty-Sixth Street] Approving map showing the opening of Twenty-sixth Street between Treat Avenue and Harrison Street; declaring Twenty-sixth Street to be open public street dedicated to public use; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Housing and Land Use

File 43-93-1. [Policy Adoption] Authorizing City Policy whereby all public outdoor lighting facilities use high pressure sodium fixtures and the expediting of the conversion of lighting facilities not currently using high pressure sodium fixtures. (Public Utilities Commission) Economic Vitality and Social Policy

File 93-93-5. [Memorandum of Agreement] Ratifying Memorandum of Agreement with United Public Employees Local 790. (Office of Mayor Employee Relations Division) Government Efficiency and Labor

File 146-93-2.1. [Grant - State Funds] Authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to accept and expend a grant of $35,900, which includes indirect costs in the amount of $3,080, based on twenty percent of salaries from State Emergency Medical Services Authority, for the development of Uniform Prehospital Treatment Guidelines. (Department of Public Health) Government Efficiency and Labor

File 146-93-18. [Grant - Private Funds] Authorizing the Department of Public Health, Homeless Programs, to accept and expend a grant of $18,600, from Comic Relief, for clerical support services at Tom Waddell Clinic; providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 168-93-1. [Park and Open Space Fund] Concurring with the general recommendations on the Park and Open Space Fund for fiscal fear 1993-94, reserving approval or disapproval on specific acquisitions. (Recreation and Park Department) Budget

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that City Attorney prepare ordinance amending the City Planning Code relating to demolition control, to retain neighborhood character, appropriate design quality, improved neighborhood notification and review, protection of historic buildings, simplifying the City Planning Code and consistent criteria for approval.

By Supervisor Alioto, that letter be sent to His Honor, the Mayor, transmitting petitions, with over 35,000 signatures, indicating refusal to support a City budget that reduces police services by eliminating 85 police officers.

By Supervisor Hsieh, that letter of inquiry be sent to General Manager, Public Utilities Commission, to determine whether it is feasible to eliminate the Municipal Railway transfer program by instituting the following proposal:

A. The current $1 fare will remain unchanged.
B. Eliminate all Muni transfers.
C. Current fares for youth, seniors and disabled will not change.
D. Promote the use of fast passes among all riders, especially those riders who are currently using transfers.
E. Consider an all-day pass good for unlimited rides excluding cable cars.

What will be the savings from the elimination of transfers as follows:

1. How much savings will result from the elimination of transfers?
   a. Theft of transfers, reported and unreported
      -cost of processing reports.
      -loss of revenue due to transporting riders using stolen transfers.
   b. Assaults on Muni operators:
      -medical cost related to injuries.
      -worker's compensation costs.
      -sick time paid to operators.
      -overtime paid to replacement operators.
      -administrative cost as a result of assaults on operators.
      -legal costs.
   c. Other benefits received resulting from system efficiency:
      -savings from not printing and distributing transfers to operators.
      -savings and efficiency resulting from operators no longer handling the time consuming and cumbersome transfers.
      -energy savings due to the elimination of prolonged idling periods during passenger boardings.
   d. Other.
2. How much additional revenue will be generated due to the elimination of transfers?
   a. additional fast pass users, due to new fast pass program.
   b. additional fare from infrequent/tourist riders, due to elimination of transfers.
   c. other.

What would the cost impact be to change the current transfer system to a one-way only directional transfer?

What would the cost impact be to replace the existing transfer system on all Muni passenger vehicles with a system similar to the Muni Metro transfer machines? These transfer machines print an expiration time and date on each transfer.

In our proposal to eliminate all Muni transfers, which neighborhoods would be impacted the most? What measures can be implemented to lessen their costs, due to the elimination of transfers?

By Supervisor Hsieh, that City Attorney prepare legislation requiring the City to contract with a travel service company to handle all of the City's travel arrangements after competitive bid process and requiring all City departments to use the travel service company chosen by the City.

By Supervisor Shelley on behalf of Supervisor Migden, that she intends to move an amendment to File 127-93-5, the utility user tax ordinance (seven percent) to make the increase effective September 1, 1993 at the July 19, 1993 Board meeting. Title: "Ordinance amending Part III, Municipal Code, by amending Article 10, Section 707.2 to extend the 6.5 percent tax rate through August 31, 1993 and to increase the tax rate to seven percent, effective September 1, 1993 and amending Section 707.3 to delete the sunset provision of this section, which extended the telephone users tax to interstate and international telephone communication services for the period from August, 1992 to June, 1993."

By Supervisor Shelley on behalf of Supervisor Migden, that she intends to move an amendment of the whole to File 127-93-13, entitled "Ordinance amending Municipal Code, Part III, by amending Sections 905A and 1005.3 to lower the qualifying maximum for the small business exemption to the payroll expense tax and the business tax and amending Sections 903.1 and 907 to provide for graduated payroll expense tax rates and to require quarterly prepayment for large businesses and amending Sections 1007, 1007.2 and 1009 to provide graduated business registration fees and to require quarterly prepayments for large businesses." at the July 26, 1993 Board meeting.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Kenneth Fu (Supervisor Hsieh)
Maurie Berman (Supervisor Migden)

File 2-93-25

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:52 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, June 21, 1993

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Wednesday, June 23, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in special meeting on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:12 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Noted absent at first roll call:

Supervisor Maher - 1.

Quorum present.

Supervisor Maher was noted present at 2:22 p.m.

Passed for Second Reading

[Interim Annual Appropriation Ordinance]
Interim Annual Appropriation Ordinance for fiscal year 1993-94 appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco. (Mayor)

File 101-93-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Interim Annual Salary Ordinance]
Interim Annual Salary Ordinance enumerating positions in the annual budget and appropriation ordinance for the fiscal year ending June 30, 1994, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or state law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto;

and authorizing appointments to temporary positions and fixing compensations thereof.

File 102-93-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

ADJOURNMENT

There being no further business, the Board at the hour of 2:22 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessary the chronological sequence in which the matters were taken up.

Wednesday, June 23, 1993

Approved by the Board of Supervisors on November 22, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 88 No. 26

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Monday, June 28, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 28, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Noted absent at first roll call:

Supervisors Conroy, Maher, Shelley - 3.

Quorum present.

Supervisor Conroy was noted present at 2:12 p.m.

Supervisor Maher excused, on official leave of absence.

Supervisor Shelley was noted present at 2:13 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Leal, seconded by Supervisor Kennedy, moved that the Journals of Proceedings for Monday, January 11 and Tuesday, January 19, 1993, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

COMMUNICATION

The Clerk presented the following communication from the Mayor:

"June 17, 1993

Honorable Angela Alioto, President and
Members of the Board of Supervisors
Room 235, City Hall
San Francisco, CA 94102

Re: IFPTF LOCAL 21 ARBITRATION AWARD (Charter Section 8.409)

Dear Ms. Alioto and Members of the Board:

On behalf of the City and County of San Francisco, and pursuant to Charter Section 8.409-4(e), I respectfully request that the Board of Supervisors reject the decision of the mediation/arbitration board dated May 25, 1993, and finalized by the arbitration board on June 9, 1993. A copy of the decision, which was accepted by a majority of the board members, is enclosed.

Specifically, the City and the Civil Service Commission contend that the arbitration board exceeded its authority under Charter Section 8.409 with respect to certain civil service rules and the jurisdiction of the Civil Service Commission in connection therewith.

I respectfully request that the Board of Supervisors reject the arbitration decision in favor of the City's final offer, a copy of which is also enclosed.

Yours very truly,

Frank M. Jordan, Mayor

Thornton C. Bunch, Jr.
Director, Employee Relations Division"

Filed

[IFPTE Local 21 Arbitration decision]
Communication from Mayor appealing the decision of the Mediation/Arbitration Board dated May 25, 1993 and finalized on June 9, 1993 and requesting, pursuant to Charter Section 8.409-4(e), that the Board of Supervisors reject the decision of the Arbitration Board concerning IFPTE Local 21.

File 93-93-6

(Filed June 17, 1993.)

(Pursuant to Charter Section 8.409-4(e) the Board of Supervisors may reject the arbitration board decision within 21 days of the filing of an appeal, by a two-thirds vote.)

Supervisor Kennedy, seconded by Supervisor Migden, moved to file the item.

Motion to file adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

SPECIAL ORDER - 2:00 P.M.

From the President

Presentation Made

Presentation by California State Association of Counties Executive Director, Steve Swendiman, to bring the Board of Supervisors up to date on the current budget situation in Sacramento.

Mr. Swendiman appeared and spoke on budget related legislation, budget trail bills and property tax shift as adopted by the Legislature.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Victoria Got against the City and County, by payment of $65,000. (City Attorney)

File 45-93-38, Ordinance No. 219-93

(Superior Court No. 933-015.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Patricia Bright against the City and County, by payment of $16,666.66. (City Attorney)

File 45-93-39, Ordinance No. 222-93

(Superior Court No. 935-915.)

Finally passed.

[Settlement of Litigation]
Ordinance approving the dismissal of litigation of Eureka Federal Savings and Loan Association of San Francisco and the City and County for no money payment. (City Attorney)

File 45-93-48, Ordinance No. 223-93

(Superior Court No. 794-931.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Daniel Hubbard and Karen Hubbard v. American Rubber Manufacturing Company, Inc., et al., upon receipt of the sum of $5,000 and a compromise and release and dismissal of complaint. (City Attorney)

File 46-93-9, Ordinance No. 224-93

(Superior Court No. 921-728.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Tabled; Rescinded;
Consideration Continued

[Democracy in Haiti]
Resolution urging the Mayor to urge President Bill Clinton and the United States Congress to use all available means to achieve the return to democracy in Haiti and to assist in fully restoring President Aristide to his office as the duly elected leader of Haiti. (Supervisors Kennedy, Alioto)

File 13-93-20, Resolution No.

(June 7, 1993 - Adopted.
June 18, 1993 - Returned to Board by Mayor, disapproved.
June 21, 1993 - Consideration continued to June 28, 1993.)

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Conroy, Hsieh, Kaufman, Kennedy, Leal, Shelley -

Noes: Supervisors Alioto, Bierman, Hallinan, Migden - 4.

Absent: Supervisor Maher - 1.

Supervisor Shelley, seconded by Supervisor Hallinan, moved to rescind the previous vote.

Motion to rescind adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Supervisor Migden, seconded by Supervisor Kennedy, moved to continue consideration to July 6, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Recommendations of Budget Committee

Finally Passed

[Interim Annual Appropriation Ordinance]
Interim Annual Appropriation Ordinance for fiscal year 1993-94 appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco. (Mayor)

File 101-93-1, Ordinance No. 220-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Maher - 1.

[Interim Annual Salary Ordinance]
Interim Annual Salary Ordinance enumerating positions in the annual budget and appropriation ordinance for the fiscal year ending June 30, 1994, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or state law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; and authorizing appointments to temporary positions and fixing compensations thereof. (Civil Service)

File 102-93-1, Ordinance No. 221-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Maher - 1.

Referred to Government Efficiency and Labor Committee

[Transient Occupancy Tax Allocation]
Ordinance amending Municipal Code, Part III, to fund the Fine Arts Museums of San Francisco and the Asian Art Museum of San Francisco, to reduce the percentage of the transient occupancy tax allocated to administration thereof and to limit certain fiscal year 1993-94 allocations to the amounts allocated in fiscal year 1992-93. (Supervisor Migden)

File 127-93-10.1, Ordinance No.

(Amends Section 515.)

Suspension of the Rules

Supervisor Migden, seconded by Supervisor Hsieh, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to various museum employees.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

The privilege of the floor was granted to the following persons:

David Debolt;
Joyce;
Patricia Burger;
John Doe;
Ben Rogers;
President, San Francisco Arts Democratic Club.

Supervisor Hallinan, seconded by Supervisor Bierman, moved to refer to Government Efficiency and Labor Committee.

Motion to refer to committee adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Recommendation of Rules Committee

Adopted

[Rules of Order]
Motion amending the Rules of Order of the Board of Supervisors to permit the President to serve as an ex-officio member of all board committees when only one regular committee member is present, in order to enable a committee to meet, by adding Rule 3.25. (Supervisor Kennedy)

File 56-93-4

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

From Rules Committee
With Recommendation "DO SUBMIT"

Ordered Submitted

[Ballot Measure]
Charter amendment (First Draft) amending Section 2.200 to permit the Board of Supervisors to hold special meetings in San Francisco in locations other than in City Hall. (Supervisors Shelley, Bierman, Alioto, Migden)

File 180-93-1

Ordered submitted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Noes: Supervisors Hallinan, Hsieh - 2.

Absent: Supervisor Maher - 1.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

[Ballot Measure]
Charter amendment (First Draft) amending Section 2.200 to permit the committees of the Board of Supervisors to hold special meetings in San Francisco in locations other than in City Hall. (Supervisors Shelley, Hallinan, Alioto, Migden)

File 204-93-1

Ordered submitted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

[Ballot Measure]
Charter amendment (First Draft) amending Section 7.309 relating to financing construction or improvement of capital facilities or purchase of equipment. (Supervisor Hsieh)

File 240-93-1

Ordered submitted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Ballot Measure]
Charter amendment (First Draft) amending Sections 7.100 and 7.103 relating to purchases of materials, supplies and equipment for the City and County. (Supervisor Migden)

File 258-93-1

Ordered submitted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Recommendations of Housing and Land Use Committee

Consideration Continued

[Manual Traffic Control in Downtown Core]
Resolution declaring the policy of the City and County that it is essential to San Francisco's Transit Plan to have manual traffic control in the City's busiest intersections in the downtown core of the City during periods of peak evening traffic. (Supervisor Maher)

File 190-93-5, Resolution No.

Supervisor Hsieh, seconded by Supervisor Migden, moved to continue consideration to July 6, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Hiring Additional Parking Control Officers]
Resolution urging the Mayor to urge the Parking and Traffic Commission to take all steps necessary to hire twenty-four to thirty-six additional parking control officers whose primary function would be the control of traffic in heavily used intersections in the City during periods of peak evening traffic. (Supervisor Maher)

File 190-93-5.1, Resolution No.

Supervisor Hsieh, seconded by Supervisor Migden, moved to continue consideration to July 6, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

NEW BUSINESS

Recommendations of Budget Committee

Adopted

[Redevelopment Agency Budget]
Resolution approving an Interim Budget of the Redevelopment Agency of the City and County for fiscal year 1993-94. (Redevelopment Agency)

File 161-93-5, Resolution No. 504-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Consideration Continued

[Park and Open Space Fund]
Resolution concurring with the general recommendations on the Park and Open Space Fund for fiscal year 1993-94, reserving approval or disapproval on specific acquisitions. (Recreation and Park Department)

File 168-93-1, Resolution No.

Supervisor Shelley, seconded by Supervisor Bierman, moved to continue consideration to July 6, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Noes: Supervisors Kaufman, Leal - 2.

Absent: Supervisor Maher - 1.

Recommendations of Health, Public Safety and Environment Committee

Adopted

[Package Warning, Personal Lubricants]
Resolution urging the Mayor to urge the Health Commission to urge the Food and Drug Administration (FDA) to require manufacturers of condoms to include a warning about the use of oil-based lubricants with condoms on each package of condoms, urging the manufacturers of condoms to voluntarily include a warning about the use of oil-based lubricants with condoms on each package of condoms, urging the manufacturers of oil-based lubricants to include an advisory about

the use of oil-based lubricants with condoms on each package of personal lubricant. (Supervisors Migden, Maher, Hallinan, Leal, Shelley, Alioto)

File 118-93-1.2, Resolution No. 503-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Passed for Second Reading

[Warning Signs, Personal Lubricants]
Ordinance amending Health Code, providing for point of retail sale lubricant warning signs. (Supervisors Migden, Maher, Leal, Shelley, Alioto)

File 118-93-1, Ordinance No.

(Adds Sections 267.7 through 267.13.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Access to Health Care Facilities]
Ordinance amending Police Code, relating to harassment of persons seeking access to health care facilities. (Supervisors Shelley, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Migden, Leal)

File 121-93-8, Ordinance No.

(Adds Article 43.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Adopted

[Parolees]
Resolution urging the Mayor to work with our State Lobbyist on the problem of the increasing parolee population in San Francisco and to

investigate the possible introduction of legislation by the City's State Representatives to address the parolee issue in San Francisco. (Supervisor Conroy)

File 238-93-2, Resolution No. 505-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Coffeehouses]
Ordinance amending City Planning Code, to add coffeehouses to the category of sales and services, other retail in Neighborhood Commercial Districts; adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Alioto, Conroy)

File 115-93-6, Ordinance No.

(Adds new Subsection 790.102(n).)

(General Rule Exclusion from Environment review, State Guidelines, Section 1506(b)(3).)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

From Housing and Land Use Committee Without Recommendation

Consideration Continued

[Cafe Tables and Chairs]
Ordinance amending Public Works Code, authorizing the Director of the Department of Public Works to issue sidewalk cafe permits; requiring owners or operators of business establishments seeking to occupy a portion of a public sidewalk, court, alley or street with tables and chairs for customers to obtain a cafe tables and chairs permit; authorizing the Director of the Department of Public Works to establish guidelines for cafe tables and chairs; requiring permit applicants to post notice of intent to place cafe tables and chairs on the business premises; establishing process for protest and appeal of denial of permit; setting conditions and restrictions on

permits; providing for suspension or revocation of permits; establishing penalties and remedies for failure to comply with said Article. (Supervisor Alioto)

File 123-93-1, Ordinance No.

(Deletes Sections 176 through 182 inclusive; Adds new Sections 176 through 176.9.)

Supervisor Migden, seconded by Supervisor Kennedy, moved to continue consideration to July 6, 1993.

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

From Housing and Land Use Committee Without Recommendation

Tabled

[Sidewalk Cafes]
Ordinance amending Public Works Code, eliminating the requirement that an owner or operator of a business establishment obtain a permit in order to occupy any portion of the public sidewalk or roadway with tables and chairs; removing from the Director of Public Works the authority to issue permits for the placement of tables and chairs in the public sidewalk or roadway in front of business establishments; eliminating all fees required to be paid for permits to place tables and chairs in the public sidewalk or roadway; removing from the Director of Public Works the authority to suspend or revoke permits to place tables and chairs; eliminating the availability of appeal to the Board of Permit Appeals for denial of a permit; establishing the conditions and restrictions for the maintenance of tables and chairs in front of business establishments; authorizing the Department of Public Works to establish guidelines for the placement of tables and chairs in the public sidewalk; authorizing the Department of Public Works to enforce minimum guidelines for the placement of tables and chairs; establishing penalties for failure to comply with said guidelines; authorizing the Department of Public Works to seize tables and chairs in the public sidewalk or roadway posing an immediate and serious danger to persons or property. (Supervisor Maher)

File 123-93-4, Ordinance No.

(Deletes Sections 176 through 182 inclusive;
Adds new Sections 176 and 177.)

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in the recommendation of the Public Utilities Commission for abandonment of certain services of Municipal Railway Line No. 56-Rutland.

File 7-93-10

(Proposed abandonment is as follows:
Line 56-Rutland on Bayshore Boulevard from Sunnydale to Leland northbound and Visitacion to Sunnydale southbound; on Sunnydale from Bayshore Boulevard to Rutland in both directions; on Rutland from Sunnydale to Visitacion northbound and from Leland to Sunnydale southbound.)

The privilege of the floor was granted to the following person:

Mr. Silva.

Tabled

(Only one of the following two resolutions should be adopted.)

[Public Transportation]
Resolution approving the proposed discontinuance of service on the 56-Rutland on Sunnydale and replacement on Leland eastbound and Visitacion westbound. (Public Utilities Commission)

File 7-93-10, Resolution No.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Adopted

[Public Transportation]
Resolution disapproving the proposed discontinuance of service on the 56-Rutland on Sunnydale and replacement on Leland eastbound and Visitacion westbound. (Public Utilities Commission)

File 7-93-10.1, Resolution No. 501-93

Supervisor Kennedy, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

SPECIAL ORDER - 4:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the proposed elimination or reduction of health care services to indigents provided at the medical facilities of the City and County for fiscal year 1993-94, beginning July 1993.

File 30-93-12

The privilege of the floor was granted to the following persons:

Sally Issaic; E.W. Hart; Ida Mae Morgan; Shelley Salieri; Dehnert Queen; John Gresman; John Antwistle, Jr.; Marvis Phillips; Lillian Rippart; Jerry Vavrek; Amelia Morgan; Dr. Robert Halverson; Denise Rogers; Geree Paul; Kevin Simms; Maurice Wilson; Mark Swanson; Steve Koneback; Jean Harris; Shiela Pickerstaff; Dr. Ruth Shelton-Pryor; Millie Chow; Lucie Grou; Lucille Brown; Althea Despotakus; Joe Mignola; Ron Holiday; Marie Martar-Herrera; Dr. Ahim Sporter-Him-Chime; George Meyer; Minnie Pride; Dr. Jose Otomas; Dr. Lillian Bacon; Daniel Yip; Reverend Aubrey Lewis; Stephanie Hedgecoke; Shelia Kenny; Sol Canowitz; Don Beck; John Gann;

Arlene Jack; Phyllis Spanglet; Lorette Spanglet; Mark Gottleib; Sonny Kinikini; Michelle Aldridge; Nick Pasquarillo; Austin Thompson; Gerard Sercio; Teralee Marine; Conshens Alsero; Dr. George Saba; Dr. Batesia Petard-Say; Conchita Cataluna; Vicki Millbranch; Lee Harris; Vera Hale; Granville Jackson; Bill Foss; Carol Ogilvey; Kenneth Stoley; Aaron Casey; Manual Hernandez; Bob Wilson; Mabel Bailey; Paul Waggoner; Alex Jestrab; Tony Leone; Karen Patterson-Matthew; Mary Kay Conner; Ellen Hoford; Tonya Fish-Razgale; Suply Lee; Ellen Saklock; Geraldine Johnson; Martha Hawthorne; Jim Rivera; Carmen Gonzalez; Ralph Jacobsen;

Sara Budadist; Michelle Sadie; Richard Jackson; Cathy Keklan; Daniel Boshkuf; Dr. Laurie Kohler; Joan Harrison; Mark Caulkin; Teneya Twyman; Alan Brill; Lisa Leyton; A Mark Robin; Jean Smith; Anna Burke; John Merkom; A Richard Callay; Greg Minera; Dennis; John Rigley; John Saipless; Bob Lare; Naomi; Don Hackett; Michael Guss; Gene Marsh; Bob Serber; Gail McBride; Ruth Hansen; Christmas Lubrey;

Dan Karasick; Julia Trahan; Rich Samples; Kasmer Zerwackowitz; John Roach; Larry Ebersol; Gail Oway; Morie Zeek; Nina Richardson; Allison Burnstein; Jennifer Grant; Shelia Hembury; Barbara Rothkrug; John Crotchcoe; Joanne Chin; Judy Apel; Steve Leoni; Lloyd Cruz; Darwin Dias; David Polgrace; Peter Tenny; and several unidentified speakers.

SPECIAL ORDER - 4:00 P.M.

Hearing Held

[Public Hearing - Budget]
Public hearing on the proposed Annual Budget of the City and County of San Francisco for fiscal year 1993-94.

File 100-93-1

The privilege of the floor was granted to the following persons:

See speakers listed above under File 30-93-12.

PUBLIC COMMENT

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the Public Comment portion of the hearing closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

(The following two items were acted upon separately.)

Adopted as Amended

[Muni Revenue]
Resolution urging the Mayor to urge the Public Utilities Commission to begin implementation of revenue generating measures for the Municipal Railway for the next fiscal year. (Supervisors Shelley, Conroy)

File 7-93-11, Resolution No. 502-93

(June 21, 1993 - Introduced in Board for consideration on June 28, 1993.)

Supervisor Shelley, seconded by Supervisor Leal, moved to amend page two, line 4, by correcting "carriars" to "carriers"; amend line

8 and 9 by deleting "4. Increase in the number of buses that are part of the pilot "Bus Rap" program."; amend line 15 by correcting "workmen's" to "worker's".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Shelley - 7.

Absent: Supervisors Hsieh, Kennedy, Maher, Migden - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Shelley - 7.

Absent: Supervisors Hsieh, Kennedy, Maher, Migden - 4.

In connection with the above item, Supervisor Conroy requested to be added as co-sponsor.

Adopted

[Election Declaration]
Motion declaring the results of the Special Election conducted June 15, 1993, in the City and County. (Supervisor Alioto)

File 60-93-2.1

(June 21, 1993 - Introduced in Board for consideration on June 28, 1993.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Shelley - 7.

Absent: Supervisors Hsieh, Kennedy, Maher, Migden - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-26, Resolution No. 496-93

(Wayne Alba, member, Board of Permit Appeals, June 18 - 22; Raymond Baxter, Director of Health, June 25; John W. Bitoff, Director, Mayor's Office of Emergency Services, June 24 - July 5; Mary I. Callanan, Treasurer, June 15 - 18; Richard Cordova, Executive Administrator, SF General Hospital, June 25 - 26; Kenneth E. Dowlin, City Librarian, July 12 - 15; Joseph Driscoll, member, Retirement Board, August 1 - 14; Robert H. Feldman, Executive Director, Board of Permit Appeals, August 19 - 23; James K. Ho, member, Airports Commission, June 15 - July 12; Judy Johnson, Director, Controller's ISD, August 1 - 6; Frederick E. Jordan, member, Parking and Traffic Commission, June 10 - 11; Margel F. Kaufman, member, Health Commission, June 21 - 28; Eugene Lumpkin, Jr., member, Human Rights Commission, June 28 - July 7; J. Stanley Mattison, Vice President, Airports Commission, June 10 - 14 and 16 - 22; H. Daniel McFarland, General Manager, Department of Electricity, September 7 - 10; Patrick A. Murphy, President, Airports Commission, June 8 - 11; Frank O'Neill, member, Port Commission, July 22 - August 7; Juanita Owens, member, Board of Permit Appeals, July 26 - August 9; Harry S. Parker, III, Director, Fine Arts Museums, June 26 - 29; Anthony Ribera, Chief of Police, June 27 - July 2; Manuel Rosales, member, Parking and Traffic Commission, June 2 - 5; Barbara C. Rosenberg, member, Library Commission, May 30 - June 1; Arlene M. Sauser, Chief, Adult Probation Officer, July 12 - 14; L.A. Turpen, Director of Airports, June 21 - 24, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Federal Legislation]
Resolution urging the Mayor to urge Senators Boxer and Feinstein to become co-sponsors of United States Senate bill 719 and House bill 827, which would permanently extend small issue industrial development bonds.

File 13-93-24, Resolution No. 497-93

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Balmy Alley, between 24th and 25th Streets, Saturday, July 17, 1993, from 12 noon to 6:00 p.m., for the Mission Cultural Center Block Party.

File 42-93-29, Resolution No. 498-93

Supervisor Leal presented for immediate adoption.

Adopted.

[Funds - Substance Abuse Services]
Resolution declaring the intent of the Board of Supervisors to appropriate $460,000 from funds paid by the City in jail overcrowding fines paid pursuant to the court order issued in City and County of San Francisco v. Stone for use in conjunction with grant funds from the United States Department of Health and Human Services for a program of community substance abuse treatment services designed to decrease the jail population and rescinding prior approval of the Board for a lesser amount.

File 152-93-2.1, Resolution No. 500-93

Supervisor Kaufman presented on behalf of Supervisor Migden for immediate adoption.

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Division of Mental Health Services, to apply for, accept and expend a grant of $119,773 from the State Department of Rehabilitation, to enter into a cooperative program agreement and a case service contract and a required match of $75,513 which is 63 percent of the total award, to provide vocational services, waiving indirect costs and providing for ratification of action previously taken; rescinding Resolution No. 403-93.

File 146-93-22.1, Resolution No. 499-93

Supervisor Hallinan presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Shelley - 7.

Absent: Supervisors Hsieh, Kennedy, Maher, Migden - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Knife Sales to Minors]
Ordinance amending Police Code by adding Section 1293 to prohibit the sale of all types of knives to minors, except for table knives and knives currently prohibited from sale under State law; and establishing penalties for violation of this section. (Supervisors Kaufman, Bierman, Alioto presented.) Referred to Health, Public Safety and Environment Committee.

File 121-93-5

Referred to Board

[Commendation]
Resolution commending James William Dekker for sixteen years of distinguished service as head baseball coach at St. Ignatius College Preparatory. (Supervisor Shelley presented.) Referred to Board July 6, 1993 For Adoption Without Committee Reference Calendar.

File 6-93-16

[Running Red Light - Increase Bail]
Resolution urging the Judicial Council for the State of California to revise the uniform traffic infraction bail and penalty schedule to increase from $103 to $350 the total bail amount for violations of California Vehicle Code Section 21453(a), requiring vehicular traffic to stop at limit lines when traffic control signals are red. (Supervisor Migden presented.) Referred to Board July 6, 1993 For Adoption Without Committee Reference Calendar.

File 12-93-19

Referred to Committee

[Running Red Light - Increase Bail]
Resolution urging the Mayor to request the City's Lobbyist to urge State Legislators to pass state legislation to increase the total bail amount in the uniform traffic infraction bail and penalty schedule from $103 to $350 for violations of Section 21453(a) of the California Vehicle Code which requires vehicular traffic to stop at limit lines when traffic control signals are red. (Supervisor Migden presented.) Referred to Housing and Land Use Committee.

File 12-93-19.1

Referred to Board

[Federal Legislation]
Resolution urging passage of the California Ocean Protection Act of 1993 (S. 727). (Supervisors Kennedy, Alioto presented.) Referred to Board July 6, 1993 For Adoption Without Committee Reference Calendar.

File 13-93-23

Referred to Committee

[Property Acquisition]
Approving and authorizing the execution of an agreement of purchase and sale for real estate (including certain liquidated damages), authorizing execution of documents reasonably necessary for the purchase of the property, and adopting findings pursuant to City Planning Code Section 101.1, all in connection with the acquisition of Ocean Beach Parcel 4. (Supervisor Shelley presented.) Referred to Budget Committee with request it be considered at the July 7, 1993 meeting.

File 84-93-2

[Open Space - Brooks Park]
Resolution urging the Mayor to urge the Planning Commission and Park and Recreation Commission and urging the San Francisco Unified School District to approve having Jose Ortega School acquired by the Open Space Acquisition Fund for purposes of adding to Brooks Park. (Supervisor Shelley presented.) Referred to Health, Public Safety and Environment Committee.

File 168-93-2

[Ballot Measure]
Charter amendment (Second Draft) amending Section 3.670, relating to the composition of the Retirement Board (add retired person). (Supervisor Shelley presented) Referred to Rules Committee with request it be considered at the June 29, 1993 meeting.

File 245-93-1

Requests for Hearings:

File 127-93-16, By Supervisor Alioto: To consider feasibility of imposing a local gasoline tax. Referred to Budget Committee.

File 207-93-12, By Supervisor Alioto: To consider the information gathered by Community Bridges Teens regarding safety in the Mission District. Referred to Health, Public Safety and Environment Committee with request it be considered at the July 27, 1993 meeting.

File 284-93-3, By Supervisor Kennedy: To consider compliance of the Minority/Women/Local Business Utilization Ordinance relating to contracts and subcontracts, such as, parking lots, concessions, city towing, janitorial services and security. Referred to Economic Vitality and Social Policy Committee.

File 291-93-1, By Supervisor Kennedy: To consider evidence and make factual findings to justify, according to applicable constitutional standards, the disparate treatment Charter Section 7.204(d) (which requires that laborers employed by public works contractors and working on public projects for the City and County be San Francisco residents) imposes on non-residents. Referred to Economic Vitality and Social Policy Committee.

Referred to Board

File 13-93-20.1 [Democracy in Haiti] Motion urging President Bill Clinton and the United State Congress to use all available means to achieve the return to democracy in Haiti and to assist in fully restoring President Aristide to this office as the duly elected leader of Haiti. (Supervisor Hallinan presented.) Referred to Board July 6, 1993 For Adoption Without Committee Reference Calendar.

File 30-93-5.8 [Needle Exchange] Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto presented.) Referred to Board July 6, 1993 For Adoption Without Committee Reference Calendar.

Referred to Committee

File 293-93-1 [Ballot Measure] Motion ordering submission of an ordinance by the Board of Supervisors to the voters amending Part III of the Municipal Code by adding Article 15 to impose a tax on the privilege of selling aerosol paint containers, containers of any other marking substance, felt tip markers with a surface of one-half inch or greater, or any other marking instrument within the City and County. (Supervisor Conroy presented.) Referred to Budget Committee with request it be considered as soon as possible.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-93-51. [Settlement of Lawsuit] Authorizing settlement of litigation of Michael and Ronayne Shaw v. City and County of San Francisco, a Municipal Corporation; Fred Jordan, Chief Juvenile Probation Officer; Nehemiah Mead, Director of the Juvenile Hall; San Francisco Juvenile Probation Commission; San Francisco Unified School District, a Local Public School District, and does 1 through 20 inclusive, including payment of attorney's fee and costs in the amount of $344,930. (City Attorney) Government Efficiency and Labor

File 45-93-52. [Settlement of Lawsuit] Authorizing settlement of litigation of Lena Flatley against the City and County of San Francisco by payment of $87,500. (City Attorney) Government Efficiency and Labor

File 46-93-12. [Settlement of Lawsuit] Authorizing settlement of City and County of San Francisco v. Richard Alan Cazen, Patrick Yu, et al., upon receipt of the sum of $14,319 with a compromise and release and dismissal of complaint. (City Attorney) Government Efficiency and Labor

File 46-93-13. [Settlement of Lawsuit] Authorizing settlement of litigation of Southern Pacific Transportation Company in the sum $434,011 to be paid in four equal installments over two years. (City Attorney) Government Efficiency and Labor

Resolutions Referred to Committee

File 25-93-17. [Contracting Out City Services] Concurring with the Controller's determination that security guard services can practically be performed at the Fine Arts Museums of San Francisco and the Asian Art Museum of San Francisco by private contractor for a lower cost than if the services were performed by City employees. (Fine Arts Museums of San Francisco) Government Efficiency and Labor

File 25-93-18. [Contracting Out City Services] Concurring with the Controller's determination that custodial services can practically be performed at the Fine Arts Museums of San Francisco and the Asian Art Museum of San Francisco by private contractor for a lower cost than if the services were performed by City employees. (Fine Arts Museums of San Francisco) Government Efficiency and Labor

File 33-93-6. [Appointment] Confirming Mayor's Appointment to the San Francisco Redevelopment Agency (Leslie Tang Schilling, for the term to expire September 3, 1994, vice Ben Hom, removed). (Mayor) Rules

File 38-93-7. [Acceptance of Gift] Accepting one gift valued at $26,625, from Northern California Grant Maker's, for use by the Recreation and Park Department for summer programs. (Recreation and Park Department) Government Efficiency and Labor

File 47-93-2. [Parking Rate Change] Approving changes in parking rates at the Sutter-Stockton and Ellis-O'Farrell garages. (Department of Parking and Traffic) Budget

File 58-93-16. [Resubdivision Project] Approving final map of 2251 Alemany Boulevard, being a resubdivision of Lots 5, 21 and 34, in Assessor's Block 7030; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works) To Board for Adoption Without Committee Reference Calendar July 6, 1993.

File 64-93-12. [Real Property Lease Amendment] Authorizing execution of a lease amendment of an existing lease of real property at 44 Gough Street for the Civil Service Commission. (Real Estate Department) Government Efficiency and Labor

File 93-93-7. [Memorandum of Understanding] Ratifying amendment to Memorandum of Understanding with International Brotherhood of Electrical Workers, Local 6. (Office of Mayor Employee Relations Division) Government Efficiency and Labor

File 172-93-23. [General Hospital Contract Modification] Finding that the State requires the City to conduct a series of load and material tests in order to have the utilities for the new mental health skilled nursing connected; authorizing the Director of Public Works to proceed in the most expeditious manner and to enter into a modification agreement with engineering consultants, Forell/Elsesser, and sub-consultants, Schwein/Christensen, to conduct a series of load and material tests at the San Francisco General Hospital as part of the service building seismic structural upgrade contract; further authorizing the Director of Public Works may hold consultants and sub-consultants harmless from any claims of damage; excepting only therefrom those claims or losses resulting

from the negligence or willful misconduct of Forell/Elsesser or Schwein/Christensen in the load and material testing. (Department of Public Works) Government Efficiency and Labor

File 172-93-24. [Cooperative Agreement] Authorizing the Director of Public Works of the City and County of San Francisco to enter into a cooperative agreement on behalf of the City and County with the State of California through its Department of Transportation pursuant to Streets and Highway Code Section 73, providing for relinquishment to the City and County of portions of State right-of-way in the vicinity of Route 280 between Plymouth Street and Justin Drive and providing that the State pay to the City the estimated cost of placing the relinquished parcels in a state of good repair. (Department of Public Works) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Kennedy, Leal, Shelley, Alioto, that City Attorney prepare resolution urging the Mayor to submit a supplemental appropriation for funds from the Narcotics Forfeiture Fund to be used for the youth in the Mission to help curb crime in the Mission.

By Supervisor Alioto, that City Attorney prepare ordinance which would impose a local gasoline tax.

By Supervisor Conroy, that letter be sent to the Director of Health inquiring about increased amounts of litter generated by visitors to Lucky-Lakeshore Plaza and what can be done to ensure that this litter does not remain for long periods of time creating a health hazard.

By Supervisor Conroy, that letter of inquiry be sent to the Menlo Management Company to determine the following: feasibility of using off-duty police officers as security guards for patrol at Lucky-Lakeshore Plaza; what can be done concerning the noise generated by the refrigeration unit at the Lucky Store at the corner of Everglade Drive and Ocean Avenue which runs 24 hours each day and often prohibits residents who live near the unit from sleeping through the night and what safety precautions are being taken to ensure that the propane burner located in the plaza does not generate toxic chemicals which jeopardize the safety of the residents of the area and visitors.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

David Jenkins (By the entire Board)
Peter Winslow (By the entire Board)

Iola V. Sullivan (Supervisor Kennedy)
Chuen Owyeung (Supervisor Kennedy)
Wilbert A. Taylor, Jr. (Supervisor Kennedy)
Louise Edgar Garry (Supervisors Hallinan, Bierman)
William T. Johnson (Supervisors Migden, Kaufman, Shelley)

File 2-93-26

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 9:53 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 6, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

C.2

Vol. 88 No. 27

PUBLIC LIBRARY

Tuesday, July 6, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday July 6, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:18 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Noted absent at first roll call:

Supervisors Hallinan, Shelley - 2.

Quorum present.

Supervisor Hallinan excused, on official leave of absence.

Supervisor Shelley was noted present at 2:19 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Kaufman, moved that the Journal of Proceedings for Monday, January 25, 1993, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Alioto requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Housing and Land Use Committee

Consideration Continued

[Coffeehouses]
Ordinance amending City Planning Code, to add coffeehouses to the category of sales and services, other retail in Neighborhood Commercial Districts; adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Alioto, Conroy)

File 115-93-6, Ordinance No.

(Adds a new Subsection 790.102(n).)

(General Rule Exclusion from Environment Review, State Guidelines, Section 1506(b)(3).)

Supervisor Maher, seconded by Supervisor Kaufman, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Health, Public Safety and Environment Committee

Finally Passed

[Warning Signs, Personal Lubricants]
Ordinance amending Health Code, providing for point of retail sale lubricant warning signs. (Supervisors Migden, Maher, Leal, Shelley, Alioto)

File 118-93-1, Ordinance No. 225-93

(Adds Sections 267.7 through 267.13.)

Finally passed.

[Access to Health Care Facilities]
Ordinance amending Police Code, relating to harassment of persons seeking access to health care facilities. (Supervisors Shelley, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Migden, Leal)

File 121-93-8, Ordinance No. 226-93

(Adds Article 43.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Mayor's Disapproval Sustained

[Democracy in Haiti]
Resolution urging the Mayor to urge President Bill Clinton and the United States Congress to use all available means to achieve the return to democracy in Haiti and to assist in fully restoring President Aristide to his office as the duly elected leader of Haiti. (Supervisors Kennedy, Alioto)

File 13-93-20, Resolution No.

(June 7, 1993 - Adopted.
June 18, 1993 - Returned to Board by Mayor, disapproved.
June 28, 1993 - Consideration continued to July 6, 1993.)

The Clerk called the roll on the question, "Shall the resolution be adopted notwithstanding the Mayor's veto." and it was refused adoption by the following vote:

Ayes: Supervisors Alioto, Bierman, Kennedy, Leal, Migden, Shelley - 6.

Noes: Supervisors Conroy, Hsieh, Kaufman, Maher - 4.

Absent: Supervisor Hallinan - 1.

Recommendation of Budget Committee

Adopted

[Park and Open Space Fund]
Resolution concurring with the general recommendations on the Park and Open Space Fund for fiscal year 1993-94, reserving approval or disapproval on specific acquisitions. (Recreation and Park Department)

File 168-93-1, Resolution No. 520-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

Recommendations of Housing and Land Use Committee

Adopted

[Manual Traffic Control in Downtown Core]
Resolution declaring the policy of the City and County that it is essential to San Francisco's Transit Plan to have manual traffic control in the City's busiest intersections in the downtown core of the City during periods of peak evening traffic. (Supervisor Maher)

File 190-93-5, Resolution No. 521-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Maher, Migden, Shelley - 7.

Noes: Supervisors Kaufman, Kennedy, Leal - 3.

Absent: Supervisor Hallinan - 1.

Rereferred to Committee

[Hiring Additional Parking Control Officers]
Resolution urging the Mayor to urge the Parking and Traffic Commission to take all steps necessary to hire twenty-four to thirty-six additional parking control officers whose primary function would be the control of traffic in heavily used intersections in the City during periods of peak evening traffic. (Supervisor Maher)

File 190-93-5.1, Resolution No.

Supervisor Maher, seconded by Supervisor Migden, moved to rerefer to Housing and Land Use Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor on the following item.

From Housing and Land Use Committee Without Recommendation

Passed for Second Reading

[Cafe Tables and Chairs]
Ordinance amending Public Works Code, authorizing the Director of the Department of Public Works to issue sidewalk cafe permits; requiring owners or operators of business establishments seeking to occupy a portion of a public sidewalk, court, alley or street with tables and chairs for customers to obtain a cafe tables and chairs permit; authorizing the Director of the Department of Public Works to establish guidelines for cafe tables and chairs; requiring permit applicants to post notice of intent to place cafe tables and chairs on the business premises; establishing process for protest and appeal of denial of permit; setting conditions and restrictions on permits; providing for suspension or revocation of permits; establishing penalties and remedies for failure to comply with said Article. (Supervisor Alioto)

File 123-93-1, Ordinance No.

(Deletes Sections 176 through 182 inclusive; adds new Sections 176 through 176.9.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Noes: Supervisor Maher - 1.

Absent: Supervisor Hallinan - 1.

The President reassumed the Chair.

NEW BUSINESS

Recommendation of Rules Committee

Adopted

[Appointments]
Resolution appointing members to the Ballot Simplification Committee, terms expired, for two-year terms ending November 30, 1994. (Rules Committee)

File 92-92-67, Resolution No. 519-93

(John M. Odell, vice himself, Television Arts and Sciences; Nicholas De Lucca, vice himself, Broadcast Editorial Directors; Kay Blalock, vice herself, League of Women Voters.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 7.

Absent: Supervisors Bierman, Conroy, Hallinan, Kennedy - 4.

From Rules Committee
With Recommendation "DO SUBMIT"

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Consideration Continued

[Ballot Measure]
Charter amendment (First Draft) amending Section 3.543 to permit the Chief of Fire Department to appoint two deputy chiefs from among those members of the department holding rank of battalion chief or assistant chief. (Supervisor Hsieh)

File 241-93-1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

(Supervisor Bierman dissenting in Committee)

[Ballot Measure]
Charter amendment (First Draft) amending Section 6.203 to require the Mayor to transmit to the Board of Supervisors the proposed budget for the ensuing fiscal year by the first day of May of each year. (Supervisor Migden)

File 242-93-1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

Amended; Consideration Continued As Amended

[Ballot Measure]
Charter amendment (((Third Draft))) (Fourth Draft) amending Section 3.670 relating to the composition of the Retirement Board of the City and County Employees' Retirement System by allowing retired members to vote in Retirement Board elections and to be elected to the Retirement Board. (Supervisors Shelley, Alioto, Bierman)

File 245-93-1

Supervisor Shelley, seconded by Supervisor Kennedy, moved an amendment of the whole (Fourth Draft) bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration as amended to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

Consideration Continued

[Ballot Measure]
Charter amendment (Third Draft) repealing Sections 3.590 through 3.599, establishing and governing the Public Utilities Commission; renumber Section 3.700 as Section 3.503 and Section 3.701 as Section 3.504, regarding the general powers and duties of officers; adding new Sections 3.700 through 3.706, establishing and governing a water and power commission; adding new Sections 3.590 through 3.596, establishing a commission and department of public transportation and governing the same; and, amending Sections 3.401, 3.521, 3.538. 6.200, 6.205, 6.401, 6.407, 6.407-1, 6.407-2, 7.312, 7.313, 7.402, 8.107 and 8.346 to conform to these changes. (Supervisor Migden)

File 250-93-1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

[Ballot Measure]
Charter amendment (Second Draft) adding Sections 3.699-6 through 3.699-16 and amending Sections 8.105, 8.107 and 9.108 relating to the creation of an Ethics Commission and enforcement of ethics laws. (Supervisors Shelley, Alioto)

File 255-93-1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

[Ballot Measure]
Charter amendment (First Draft) amending Section 6.304 relating to disbursements in advance of revenues. (Supervisor Migden)

File 257-93-1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

[Ballot Measure]
Charter amendment (Third Draft) amending Sections 8.559-4, 8.559-5, 8.585-4. 8.586-4, 8.586-5, 5.588-4 and 8.588-5 relating to pension benefits for surviving spouses of police officers and firefighters and miscellaneous employees and previously denied spouses. (Supervisors Maher, Alioto, Bierman, Conroy)

File 264-93-1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

(Supervisor Conroy dissenting in Committee.)

[Ballot Measure]
Charter amendment (First Draft) amending Sections 8.590-1 through 8.590-7 relating to the bargaining of compensation and working conditions of District Attorney Investigators. (Supervisor Alioto)

File 265-93-1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

[Ballot Measure]
Charter amendment (Second Draft) amending Sections 8.100, 9.103, 9.104, 9.108, 9.109, 9.110, 9.111, 9.113 and 9.114 and repealing Section 9.100-2 relating to elections. (Supervisors Bierman, Alioto)

File 266-93-1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

[Ballot Measure]
Charter amendment (First Draft) adding Section 9.103-1 relating to charter review. (Supervisors Bierman, Alioto)

File 266-93-1.1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

[Ballot Measure]
Charter amendment (Second Draft) amending Section 3.674 relating to the funding of the retirement system to extend the time period for amortizing unfunded prior service liabilities. (Supervisors Conroy, Alioto)

File 268-93-1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

[Ballot Measure]
Charter amendment (Second Draft) adding Section 8.500-2 providing for the modification of retirement benefits by ordinance. (Supervisor Maher)

File 289-93-1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing to make a finding of whether public interest and necessity require the City and County to acquire, by eminent domain, certain real property described as Lot 3 in Assessor's Block 1592, also known as Ocean Beach Parcel 4, for the Richmond Transport Project and Open Space.

File 288-93-1

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

Consideration Continued

[Eminent Domain]
Resolution authorizing acquisition of Assessor's Block 1592, Lot 3, also known as Ocean Beach Parcel 4, for the Richmond Transport Project and Open Space, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Shelley)

File 288-93-1.1, Resolution No.

Supervisor Shelley, seconded by Supervisor Maher, moved to continue consideration to August 9, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

COMMITTEE REPORTS

Recommendation of Housing and Land Use Committee

Adopted as Amended

[Street Vacation]
Resolution declaring intention of the Board of Supervisors to vacate and sell a portion of Yosemite Avenue, south of Williams Avenue and a portion of Armstrong Avenue, east of Newhall Street; and setting August 9, 1993 as the date for hearing all persons interested in the proposed vacation and sale. (Real Estate Department)

File 164-93-1, Resolution No. 515-93

Supervisor Maher, seconded by Supervisor Kennedy, moved to amend page two, line nine, by deleting "2:00" and inserting "3:00".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

Recommendations of Rules Committee

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Consideration Continued

[Ballot Measure]
Charter amendment (Second Draft) repealing Sections 3.620 through 3.624, establishing and governing the Golden Gate Museums and adding new Sections 3.620 through 3.624, establishing and governing the Fine Arts Museums of San Francisco, eliminating the enumeration of civil service positions for employees of the Fine Arts Museums and restructuring the fiscal and organizational structure of the Fine Arts Museums and the City and County of San Francisco and the financing operations of the Fine Arts Museums of San Francisco. (Supervisors Conroy, Alioto, Bierman)

File 253-93-1

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

[Ballot Measure]
Charter amendment (Third Draft) adding Section 8.517-3 providing for early service retirement for miscellaneous employees. (Supervisors Conroy, Alioto)

File 263-93-1

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

[Ballot Measure]
Charter amendment (Third Draft) adding Section 8.517-4 providing for early service retirement of police officers and firefighters. (Supervisor Conroy)

File 269-93-1

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Dehnert Queen.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Conroy requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[Democracy in Haiti]
Motion urging President Bill Clinton and the United State Congress to use all available means to achieve the return to democracy in Haiti and to assist in fully restoring President Aristide to this office as the duly elected leader of Haiti. (Supervisor Hallinan)

File 13-93-20.1

(June 28, 1993 - Introduced in Board for consideration on July 6, 1993.)

Supervisor Kennedy, seconded by Supervisor Bierman, moved to continue consideration to July 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Kaufman, Kennedy, Migden, Shelley - 7.

Absent: Supervisors Hallinan, Hsieh, Leal, Maher - 4.

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[New Residential Condominium]
Motion approving final map of 4142-4150 Seventeenth Street, also known as Eureka Garden, being a resubdivision of Lots 30, 30B, 30C and 99 in Assessor's Block 2623; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-15

(June 28, 1993 - Introduced in Board for consideration on July 6, 1993.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Absent: Supervisors Bierman, Hallinan, Hsieh, Maher - 4.

The Board resumed its consideration of the following item on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commendation]
Resolution commending James William Dekker for sixteen years of distinguished service as head baseball coach at St. Ignatius College Preparatory. (Supervisor Shelley)

File 6-93-16, Resolution No. 516-93

(June 28, 1993 - Introduced in Board for consideration on July 6, 1993.)

Adopted.

[Running Red Light - Increase Bail]
Resolution urging the Judicial Council for the State of California to revise the uniform traffic infraction bail and penalty schedule to increase from $103 to $350 the total bail amount for violations of California Vehicle Code Section 21453(a), requiring vehicular traffic to stop at limit lines when traffic control signals are red. (Supervisor Migden)

File 12-93-19, Resolution No. 517-93

(June 28, 1993 - Introduced in Board for consideration on July 6, 1993.)

Adopted.

[Federal Legislation]
Resolution urging passage of the California Ocean Protection Act of 1993 (S. 727). (Supervisors Kennedy, Alioto)

File 13-93-23, Resolution No. 518-93

(June 28, 1993 - Introduced in Board for consideration on July 6, 1993.)

Adopted.

[Resubdivision Project]
Resolution approving final map of 2251 Alemany Boulevard, being a resubdivision of Lots 5, 21 and 34, in Assessor's Block 7030; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-16, Resolution No. 506-93

(June 28, 1993 - Introduced in Board for consideration on July 6, 1993.)

Adopted.

[Needle Exchange]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto)

File 30-93-5.8

(June 28, 1993 - Introduced in Board for consideration on July 6, 1993.)

Adopted.

[Condominium Project]
Motion approving final map of 469 Clementina Street, a condominium project, being a resubdivision of Lot 37 in Assessor's Block 3732, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-14

(June 28, 1993 - Introduced in Board for consideration on July 6, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Hallinan, Hsieh, Maher - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-27, Resolution No. 507-93

(Kevin Shelley, member, Board of Supervisors, October 3 - 7; Raymond Baxter, Director of Health, June 18 - 23; Eugene Lumpkin, member, Human Rights Commission, June 28 - July 7; Herb Meiberger, member, Retirement Board, June 10 - 15; Frank O'Neill, member, Port Commission, July 22 - August 7; Harry S. Parker III, Director, Fine Arts Museums, July 8 - 12; Roselyne C. Swig, member, Library Commission, June 4 - 9, 13 - 15, June 22 - July 2 and July 2 - 10; Doris M. Ward, Assessor, July 8 - 11, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Street Closing]
Resolution authorizing temporary closing of a portion of Masonic Avenue, Java Street, Piedmont Street, Jefferson Street, Hyde Street and Greenwich Street, at various times and dates, for filming a motion picture.

File 42-93-30, Resolution No. 508-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Belden Street, between Bush and Pine Streets, Wednesday, July 14, 1993, from 3:00 p.m to 6:00 p.m., for celebration of Bastille Day, 1993.

File 42-93-31, Resolution No.509-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Commercial Street, between Sansome and Leidesdorff Streets, Thursday, August 12, 1993, from 3:00 p.m. to 9:00 p.m., for a benefit for the San Francisco Public Library "Food for Thought".

File 42-93-32, Resolution No. 510-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Grant - Federal Funding]
Resolution authorizing the Mayor to apply for, accept and administer a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed $10 million for the Shelter Plus Care Program authorized under Section 837 of the National Affordable Housing Act of 1990, Public Law Number 101-625. There will be no direct or indirect costs associated with the acceptance of these grant funds.

File 68-93-6.1, Resolution No. 511-93

Supervisor Shelley presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Hallinan, Hsieh, Maher - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Surplus Property Sale]
Ordinance authorizing and directing the sale of surplus city-owned property, under the jurisdiction of the Department of Public Works, known as Assessor's Block 1260, Lot 22; Assessor's Block 2713, Lot 10; and Assessor's Block 5067, Lot 3 and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Migden presented.) Referred to Budget Committee.

File 96-93-2

Referred to Board

[In Home Support Services (IHSS) Funds]
Resolution requesting the Health and Welfare Agency of the State of California to approve the pending In Home Support Services (IHSS) Consortium Contract and to expedite implementation of the provisions of SB 35 which make $250,000 in funds available to San Francisco County for the establishment of a Homecare Authority and urging the Mayor to urge the Social Services Commission and the General Manager of the Department of Social Services to set aside up to $315,000 in general fund savings generated by the Medi-Cal Personal Care Option for start-up of a county-wide central IHSS Registry and continuation of the increased wage rate of $5.16 per hour for the approximately 200 homecare workers trained by the IHSS Consortium. (Supervisor Kennedy presented.) Referred to Board July 12, 1993 For Adoption Without Committee Reference Calendar.

File 12-93-20

Referred to Committee

[Interim Controls]
Resolution imposing Interim Zoning Controls to prohibit introduction of additional establishments, or any expansion of existing establishments, selling alcoholic beverages in the area generally bounded by Fourteenth Street, Army Street, South Van Ness Avenue and Guerrero Street. (Supervisor Shelley presented.) Referred to Housing and Land Use Committee.

File 111-93-1

Called from Rules Committee

[Ballot Measure]
Charter amendment (Second Draft) amending Section 8.406 relating to the reduction of salaries of city employees and officials.

File 261-93-1

Called from Rules Committee by Supervisor Migden with direction to schedule for Board meeting of July 12, 1993.

Requests for Hearings:

File 188-93-3, By Supervisor Migden: To consider feasibility of bottling Hetch Hetchy water for retail sale as a revenue source for the city. Referred to Health, Public Safety and Environment Committee.

File 207-93-13, By Supervisor Shelley: To consider the status report of the Police Department's actions in relation to the Board of Supervisors various 911 resolutions, including specific circumstances concerning the 911 response to the 101 California Street incident. (Supervisor Shelley) Referred to Health, Public Safety and Environment Committee.

File 274-93-3, By Supervisors Alioto, Bierman, Conroy: To consider the prevalence of weapons in City schools and to consider legislation to enhance safety on City campuses. Referred to Health, Public Safety and Environment Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-93-53. [Settlement of Lawsuit] Authorizing settlement of litigation of Billie Zinser against the City and County of San Francisco by payment of $87,500. (City Attorney) Government Efficiency and Labor

File 105-93-4. [Compensation - Firefighters] Implementing the compensation provisions of the agreement between the San Francisco Firefighters Union Local 798 and the City and County of San Francisco pursuant to Charter Section 8.590-1 et. seq., effective July 1, 1993. (Also see File 93-92-20) (Office of Mayor's Employee Relations Division) Government Efficiency and Labor

File 105-93-5. [Compensation - Police Officers Association] Implementing the compensation provisions of the agreements between the Police Officers Association, Local 911 and the City and County of San Francisco pursuant to Charter Section 8.590-1 et. seq., effective July 1, 1993. (Also see File 93-92-16.2) (Office of Mayor's Employee Relations Division) Government Efficiency and Labor

File 106-93-4. [Salary Standardization - Union of American Physicians and Dentists] Fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Section 8.409 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1993 to make contractually and legally mandated changes thereto required by the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists. (Civil Services Commission) Government Efficiency and Labor

File 106-93-5. [Benefits for Unrepresented Employees] Approving the Mayor's proposal to continue unchanged the compensation of unrepresented employees pursuant to Charter Section 8.409-1. (Office of Mayor's Employee Relations Division) Government Efficiency and Labor)

File 106-93-6. [Pay Equity Legally Mandated Adjustments] Providing for pay equity adjustments to the schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Unified School District and the San Francisco Community College District effective July 1, 1993, as provided for in Charter Section 8.407-1 and contractually mandated by Memoranda of Understanding. (Also see File 93-91-3) (Office of Mayor's Employee Relations Division) Government Efficiency and Labor

File 106-93-7. [IBEW Local 6] Implementing the terms of settlement of litigation in the matter entitled SCHACH v. BRITT, et al. set forth in the Memorandum of Understanding between the City and County of San Francisco and IBEW Local 6. This ordinance amends rates of shift premium pay. (Also see Files 45-92-61 and 93-93-7) (City Attorney) Government Efficiency and Labor

File 121-93-10. [Tour Bus Restriction] Amending the Police Code, by adding Sections 1183.22 through 1183.25 thereto, regarding tour bus restrictions on Larkin, Leavenworth, Jones and Taylor Streets. (Department of Parking and Traffic) Housing and Land Use

File 124-93-5. [Commercial Vehicle Weight Limit] Amending Traffic Code by adding Sections 28.5.37 through 28.5.44 thereto, listing streets with prohibition of commercial vehicles. (Department of Parking and Traffic) Housing and Land Use

Resolutions Referred to Committee

File 23-93-1. [Claim Against the Government] Waiving the Statute of Limitations with respect to payment of one certain warrant of the City and County of San Francisco, in the amount of $1,864.80 payable to Stanley Roberson, a legal obligation of the City and County of San Francisco. (Controller) Budget

File 48-93-16. [Settlement of Claim] Approving the settlement of the unlitigated claim of Deanne Berger-Moudgil by payment of $8,000. (City Attorney) Government Efficiency and Labor

File 48-93-17. [Settlement of Claim] Approving the settlement of the unlitigated claim of Elbert Mui by payment of $8,500. (City Attorney) Government Efficiency and Labor

File 48-93-18. [Settlement of Claim] Approving the settlement of the unlitigated claim of James J. Corrigan by payment of $20,000. (City Attorney) Government Efficiency and Labor

File 82-93-2. [Property Acquisition - Noise Easement] Authorizing the acquisition of a noise easement from the South San Francisco Unified School District. (Real Estate Department) Budget

File 93-93-8. [MOU - Painters] Ratifying Memorandum of Understanding between and for the City and County of San Francisco and Painters, Local #4, District Council No. 8. (Office of Mayor Employee Relations Division) Government Efficiency and Labor

File 147-93-7. [Grant Application] Authorizing the San Francisco Public Library to apply for $82,000 in grant funds from the California State Library Services and Construction Act (LSCA) to establish a San Francisco African American History Network in collaboration with the San Francisco African American Historical and Cultural Society Research Library and Archives (SFAAHCSRL&A) for the Fiscal Year 1993-94; indirect costs are included in this budget. (Public Library) Government Efficiency and Labor

File 172-93-25. [Grant-Federal Funds-Indemnification of the State] Authorizing the City Librarian to execute an agreement with the California State Library whereby the City would indemnify the State from claims and losses accruing or resulting from the performance of the LSCA Title II Grant Contract, and from claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by the City in the performance of the LSCA Title II Grant Contract. (Public Library) Government Efficiency and Labor

File 172-93-26. [Indemnification Agreement] Authorizing an indemnity provision in the agreement between the City and County of San Francisco and the City of South San Francisco. (Public Utilities Commission) Government Efficiency and Labor

File 237-93-3. [Surcharge on Filing Fees - Municipal Court] Increasing the surcharge on filing fees in civil actions in the Municipal Court as provided in Government Code Section 76238 and Section 10.117-35 of the San Francisco Administrative Code, to assist in the acquisition, rehabilitation, construction and financing of courtrooms or of a courtroom building or buildings containing facilities necessary or incidental to the operation of the justice system in the City and County of San Francisco. (Municipal Court) Budget

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Maher, that letter of inquiry be sent to his Honor, the Mayor, concerning security guard services at City Hall, to determine if plans are being considered to resume this service, whether the staff just laid off could be re-hired at a lower cost.

By Supervisor Alioto, that City Attorney prepare ordinance to make it a crime to bring weapons into City buildings, to implement enhanced penalties for violations and install notice signs on buildings.

By Supervisor Conroy, that letters be sent to the injured employees, members and staff at Petitt and Martin to convey the Board's concern and wishing them a speedy recovery from the incident at 101 California Street.

By Supervisor Kennedy, that City Attorney prepare ordinance to amend Administrative Code Section 49.2(a) to change the five percent security deposit requirement to reflect the current interest rate at the time of the lease.

By Supervisor Shelley, that letter of inquiry be sent to General Manager, Recreation and Park Department, requesting status report on the plans for developing the soccer field at Dolores Park.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Allen Berk (By the entire Board)
Jack Berman (By the entire Board)
Deborah Fogel (By the entire Board)
Donald Michael Merrill (By the entire Board)
Shirley Mooser (By the entire Board)
John Scully (By the entire Board)
Jody Jones Sposato (By the entire Board)
David Sutcliffe (By the entire Board)

File 2-93-27

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:46 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on DEC 6 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 88 No. 28

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Monday, July 12, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 12, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:26 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Leal, Shelley - 7.

Noted absent at first roll call:

Supervisors Bierman, Hallinan, Maher, Migden - 4.

Quorum present.

Supervisor Bierman was noted present at 2:27 p.m.

Supervisor Hallinan was noted present at 2:31 p.m.

Supervisor Maher was noted present at 2:29 p.m.

Supervisor Migden was noted present at 2:28 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Leal, moved that the Journal of Proceedings for Monday, February 1, 1993, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Shelley - 8.

Absent: Supervisors Hallinan, Maher, Migden - 3.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Leal requested that the following measures be severed from the Consent Calendar and considered separately.

Recommendations of Government Efficiency and Labor Committee

Consideration Continued

[Grant - Federal through the State Funds]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for a grant up to the amount of $29,468,393 which excludes indirect costs, from the United States Department of Health and Human Services, Center for Substance Abuse Treatment through the State of California, Department of Alcohol and Drug Programs for enhancement and augmentation of substance abuse treatment services for persons who are identified as "Critical Populations"; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-93-27, Resolution No.

Supervisor Leal, seconded by Supervisor Kennedy, moved to continue consideration to July 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Grant - Federal through the State Funds]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for a grant up to the amount of $13,122,590 which excludes indirect costs, from the United States Department of Health and Human Services, Center for Substance Abuse Treatment through the State of California, Department of Alcohol and Drug Programs for residential substance abuse treatment services for women and their children; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-93-29, Resolution No.

Supervisor Leal, seconded by Supervisor Kennedy, moved to continue consideration to July 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport Lease Modification]
Ordinance approving modification to the lease for International Terminal Duty Pay Principal Concession Lease between DFS-West, a Division of DFS Group L.P. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-93-12, Ordinance No.

Passed for second reading.

Adopted

[Contracting Out City Services]
Resolution concurring with the Controller's certification that the weekend and holiday security guard services can be practically performed for the Department of Public Health, San Francisco General Hospital, Substance Abuse Services by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health)

File 25-93-15, Resolution No. 531-93

Adopted.

[Contracting Out City Services]
Resolution concurring with the Controller's certification that Budget Analyst services can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Clerk of the Board)

File 25-93-16, Resolution No. 532-93

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of Classification 8151 Claims Investigator in the State Disability Insurance Program. (Employee Relations Division)

File 89-93-6, Resolution No. 539-93

Adopted.

[Grant - Private Funds]
Resolution authorizing the Department of Public Health, Homeless Programs, to accept and expend a grant of $18,600, from Comic Relief, for clerical support services at Tom Waddell Clinic; providing for ratification of action previously taken. (Department of Public Health)

File 146-93-18, Resolution No. 545-93

Adopted.

[Grant - Federal through the State Funds]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for a grant up to the amount of $17,499,223 which excludes indirect costs, from the United States Department of Health and Human Services, Center for Substance Abuse Treatment through the State of California, Department of Alcohol and Drug Programs to provide centralized substance abuse treatment enhancement and placement services in San Francisco as a "Target City"; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-93-28, Resolution No. 546-93

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $6,500,000, which includes indirect costs based on twenty percent of personnel costs from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Prevention Project. (Department of Public Health)

File 146-93-30, Resolution No. 547-93

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $3,000,000, which includes indirect costs based on twenty percent of personnel costs from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Surveillance Project. (Department of Public Health)

File 146-93-31, Resolution No. 548-93

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of $2,000,000, which includes indirect costs based on twenty percent of personnel costs from the Department of Health and Human Services, Centers for Disease Control, to continue funding the Epidemilogic Study of the Natural History and HIV Incidence in Homosexual and Bisexual Men Recruited from the San Francisco STD City Clinic. (Department of Public Health)

File 146-93-32, Resolution No. 549-93

Adopted.

[Federal Funding]
Resolution approving a two-month extension of refugee employment and training contracts, and approving amendment of the San Francisco County Plan, to reflect those extensions. (Private Industry Council)

File 156-93-1, Resolution No. 550-93

Adopted.

[Contract]
Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with California Youth Authority for diagnostic and treatment services and temporary detention not to exceed 90 days; providing for ratification of action previously taken. (Juvenile Probation Department)

File 172-93-21, Resolution No. 551-93

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersections]
Resolution enacting and rescinding "Stop Signs" at various intersections. (Housing and Land Use Committee)

File 18-93-5, Resolution No. 526-93

(Stop Signs - Establish
18th and Capp Streets, northeast and southwest corners, stopping 18th Street traffic (makes this an all-way STOP).
19th and Capp Streets, northeast and southwest corners, stopping 19th Street traffic (makes this an all-way STOP).
22nd Street and Treat Avenue, northeast and southwest corners, stopping 22nd Street traffic (makes this an all-way STOP).
22nd and Pennsylvania Streets, northeast and southwest corners, stopping 22nd Street traffic (makes this an all-way STOP).
Filbert and Buchanan Streets, northeast and southwest corners, stopping Filbert Street traffic (makes this an all-way STOP).
29th Avenue and Pacheco Street, northwest and southeast corners, stopping 29th Avenue traffic (presently uncontrolled).
29th Street and Tiffany Avenue, northwest corner, stopping southbound Tiffany Avenue traffic (presently uncontrolled, stops the stem of this T-intersection).
Elizabeth and Sanchez Streets, southwest corner, stopping eastbound Elizabeth Street traffic (makes this an all-way STOP).
Crescent Avenue and Putnam Street, southwest corner, stopping eastbound Crescent Avenue traffic.
Mt. Vernon and Cayuga Avenues, northwest and southeast corners, stopping Cayuga Avenue traffic (makes this an all-way STOP).
Watson Place and Ocean Avenue, southeast corner, stopping northbound Watson Place traffic (presently uncontrolled, stops the stem of this T-intersection).
Silver Avenue and University Street, northeast and southwest corners, stopping Silver Avenue traffic (makes this an all-way STOP).
14th and Harrison Streets, southwest corner, stopping eastbound 14th Street traffic (presently uncontrolled, stops the stem of this T-intersection).
22nd Avenue and Ulloa Street, northwest and southeast corners, stopping 22nd Street traffic (makes this an all-way STOP).
21st Avenue and Cabrillo Street, northwest and southeast corners, stopping 21st Avenue traffic (makes this an all-way STOP).
19th and Yukon Streets, northwest, northeast and southeast corners, stopping all approaches (makes this an all-way STOP).
Eagle and Yukon Streets, northwest, southwest and southeast corners, stopping all approaches (makes this an all-way STOP).
Cambridge and Wayland Streets, northeast and southwest corners, stopping Cambridge Street traffic (makes this an all-way STOP).
Scott and Eddy Streets, northeast and southwest corners, stopping Eddy Street traffic (makes this an all-way STOP).
Loomis Street, Barneveld Avenue, and McKinnon Avenue, all corners, all approaches (makes this an all-way STOP).

Stop Signs - Rescind
Linden and Octavia Streets, southwest corner, stopping Linden Street traffic.)

Adopted.

[Parking Regulations]
Resolution enacting and extending regulations at various streets. (Housing and Land Use Committee)

File 19-93-6.1, Resolution No. 527-93

Parking Meter Area 3 (1-hour parking time limit, Monday through Saturday, 7:00 a.m. to 6:00 p.m.) - Extend
Fillmore Street, east side, between O'Farrell Street and Golden Gate Avenue.
Fillmore Street, west side, between O'Farrell and McAllister Streets.
9th Street, both sides, between Brannan and Bryant Streets.

Parking Meter Area 3 (Short-term metered parking, Monday through Saturday, 7 a.m. to 6 p.m.) - Extend
Holloway Avenue, north side, from Valera Avenue to 300 feet east of Arellano Avenue (converts existing green zones to metered green zones).

Shuttle Bus Parking Only (6 a.m. - 11 p.m., Monday through Friday) - Establish
19th Avenue, west side, from 280 feet to 320 feet north of Holloway Avenue.

Motorcycle Parking Only (No Time Limit) - Establish
19th Avenue, west side, from 320 feet to 420 feet south of Holloway Avenue.
19th Avenue, west side, from 770 to 880 south of Buckingham Way (near Hensill Hall).
Holloway Avenue, north side, from 20 feet to 50 feet east of Tapia Drive.)

Adopted.

[Parking Regulations]
Resolution enacting and extending parking regulations on various streets. (Housing and Land Use Committee)

File 19-93-7, Resolution No. 528-93

Tow-Away, No Parking Anytime - Establish
Montgomery Street, east side, from 71 feet to 111 feet south of Chestnut Street (40-foot zone just north of driveway at 1680 Montgomery Street, effective from 6 a.m. to 8 a.m., Monday through Friday).

Parking Meter Area No. 3 (1-hour parking time limit, Monday through Saturday, 9:00 a.m. - 6:00 p.m.) - Extend
Stevenson Street, south side, between 5th and 6th Streets.
Folsom Street, south side, between 3rd and 4th Streets.
Folsom Street, both sides, between 1st and 2nd Streets.
1st Street, both sides, between Folsom and Harrison Streets.
Fremont Street, both sides, between Folsom and Harrison Streets.
Geary Boulevard, north side, between Laguna and Webster Streets.

Parking Meter Area No. 3 (2-hour parking time limit, Monday through Saturday, 9:00 a.m. - 6:00 p.m.) - Extend
Essex Street, both sides, between Folsom and Harrison Streets.
Harrison Street, both sides, between 2nd and 3rd Streets.
Hawthorne Street, both sides, between Folsom and Harrison Streets.

Perpendicular (90-degree) Parking - Establish
Wisconsin Street, west side, between 16th and 17th Streets.)

Adopted.

[Traffic Regulations]
Resolution enacting traffic regulations on various streets. (Housing and Land Use Committee)

File 20-93-5, Resolution No. 529-93

(Transit Only Lanes - Establish
O'Farrell Street, south side, between Jones and Powell Streets.
Geary Street, north side, between Kearny and Powell Streets.
Post Street, south side, between Taylor and Grant Streets.
Sutter Street, north side, between Kearny and Stockton Streets.

Transit Only Lanes, 7 a.m. to 9 a.m., Monday through Friday - Establish
O'Farrell Street, south side, between Hyde and Jones Streets.

Transit Only Lanes, 3 p.m. to 6 p.m., Monday through Friday - Establish
Sutter Street, north side, between Sansome and Kearny Streets.)

Adopted.

[Traffic Regulations]
Resolution extending, enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-93-6, Resolution No.530-93

(Green Zone - Time Extension
Frederick Street, north side, from 78 feet to 98 feet west of Stanyan Street (20-foot zone at 520 Frederick Street, extends existing hours of operation to include hours from 6:00 p.m. to 10:30 p.m., Monday through Saturday, and from 9:00 a.m. to 10:30 p.m., Sunday).

Left Turn Prohibition (MUNI Excepted) - Establish
Van Ness Avenue, northbound and southbound, at Market Street (replaces part-time left turn prohibition).

Left Lane Must Turn Left - Rescind
Washington Street, westbound, at Battery Street.

Adopted.

[Parking of Vehicles]
Resolution extending the boundaries of Residential Permit Parking Area "P" in the Anza Vista/Beideman area; and adding to the list of streets upon which time limitations shall apply. (Housing and Land Use Committee)

File 40-93-4, Resolution No. 535-93

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From Budget Committee With Recommendation "Do Not Pass"

Rereferred to Committee

[Municipal Railway Fare Increases]
Resolution approving a revised fare schedule for the San Francisco Municipal Railway. (Public Utilities Commission)

File 7-93-9.1, Resolution No.

Supervisor Migden, seconded by Supervisor Hsieh, moved to rerefer to Budget Committee with direction to report back to the Board July 19, 1993.

Motion to rerefer to Budget Committee adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Cable Car Fares]
Resolution approving a revised cable car fare schedule for the San Francisco Municipal Railway. (Public Utilities Commission)

File 7-93-9.2, Resolution No.

Supervisor Migden, seconded by Supervisor Hsieh, moved to rerefer to Budget Committee with direction to report back to the Board July 19, 1993.

Motion to rerefer to Budget Committee adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Recommendation of Housing and Land Use Committee

Consideration Continued as Amended

[((Coffeehouses)) Retail Coffee Stores]
Ordinance amending City Planning Code, to add ((coffeehouses)) retail coffee stores to the category of sales and services, other retail in Neighborhood Commercial Districts; adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Alioto, Conroy)

File 115-93-6, Ordinance No.

(Adds a new Subsection 790.102(n).)

(General Rule Exclusion from Environment Review, State Guidelines, Section 1506(b)(3).)

Supervisor Shelley, seconded by Supervisor Kaufman, moved an amendment of the whole entitled, "Ordinance amending City Planning Code by amending Section 790.102 to add a new subsection 790.102(n) to add retail coffee stores to the category of sales and services, other retail in neighborhood commercial districts; adopting findings pursuant to City Planning Code Section 101.1."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Supervisor Maher, seconded by Supervisor Bierman, moved to continue consideration to August 9, 1993.

Motion to continue consideration, as amended, adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Request Granted

In connection with the above item, Supervisor Kennedy, seconded by Supervisor Kaufman, moved that the Clerk be directed to transmit

the amended ordinance to the City Planning Commission for consideration, indicating this matter has been continued to August 9, 1993.

No objection and Clerk directed to comply.

From Housing and Land Use Committee Without Recommendation

Finally Passed

[Cafe Tables and Chairs]
Ordinance amending Public Works Code, authorizing the Director of the Department of Public Works to issue sidewalk cafe permits; requiring owners or operators of business establishments seeking to occupy a portion of a public sidewalk, court, alley or street with tables and chairs for customers to obtain a cafe tables and chairs permit; authorizing the Director of the Department of Public Works to establish guidelines for cafe tables and chairs; requiring permit applicants to post notice of intent to place cafe tables and chairs on the business premises; establishing process for protest and appeal of denial of permit; setting conditions and restrictions on permits; providing for suspension or revocation of permits; establishing penalties and remedies for failure to comply with said Article. (Supervisor Alioto)

File 123-93-1, Ordinance No. 236-93

(Deletes Sections 176 through 182 inclusive; adds new Sections 176 through 176.9.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Noes: Supervisor Maher - 1.

Recommendations of Rules Committee

Ordered Submitted

[Ballot Measure]
Charter amendment (First Draft) amending Section 3.543 to permit the Chief of Fire Department to appoint two deputy chiefs from among those members of the department holding rank of battalion chief or assistant chief. (Supervisors Hsieh, Kennedy, Alioto)

File 241-93-1

Ordered submitted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Ballot Measure]
Charter amendment (Fourth Draft) amending Section 3.670 relating to the composition of the Retirement Board of the City and County Employees' Retirement System by allowing retired members to vote in Retirement Board elections and to be elected to the Retirement Board. (Supervisors Shelley, Alioto, Bierman)

File 245-93-1

Ordered submitted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Consideration Continued

[Ballot Measure]
Charter amendment (Third Draft) repealing Sections 3.590 through 3.599, establishing and governing the Public Utilities Commission; renumber Section 3.700 as Section 3.503 and Section 3.701 as Section 3.504, regarding the general powers and duties of officers; adding new Sections 3.700 through 3.706, establishing and governing a water and power commission; adding new Sections 3.590 through 3.596, establishing a commission and department of public transportation and governing the same; and amending Sections 3.401, 3.521, 3.538. 6.200, 6.205, 6.401, 6.407, 6.407-1, 6.407-2, 7.312, 7.313, 7.402, 8.107 and 8.346 to conform to these changes. (Supervisor Migden)

File 250-93-1

Supervisor Migden, seconded by Supervisor Maher, moved to continue consideration to July 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Ordered Submitted as Amended

[Ballot Measure]
Charter amendment (((Second)) Third Draft) repealing Sections 3.620 through 3.624, establishing and governing the Golden Gate Museums and adding new Sections 3.620 through 3.624, establishing and governing the Fine Arts Museums of San Francisco, eliminating the enumeration of civil service positions for employees of the Fine Arts Museums and restructuring the fiscal and organizational structure of the Fine Arts Museums and the City and County of San Francisco and the financing operations of the Fine Arts Museums of San Francisco. (Supervisors Conroy, Alioto, Bierman)

File 253-93-1

Supervisor Conroy, seconded by Supervisor Maher, moved an amendment of the whole (Third Draft) bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Ordered submitted as amended (Third Draft) by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Noes: Supervisor Kennedy - 1.

[Ballot Measure]
Charter amendment (((Second)) Third Draft) adding Sections 3.699-6 through 3.699-16 and amending Sections 8.105, 8.107 and 9.108 relating to the creation of an Ethics Commission and enforcement of ethics laws. (Supervisors Shelley, Alioto)

File 255-93-1

Supervisor Shelley, seconded by Supervisor Bierman, moved an amendment of the whole (Third Draft) bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Ordered submitted as amended (Third Draft) by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley - 7.

Noes: Supervisors Conroy, Hsieh, Kennedy, Maher - 4.

Ordered Submitted

[Ballot Measure]
Charter amendment (First Draft) amending Section 6.304 relating to disbursements in advance of revenues. (Supervisor Migden)

File 257-93-1

Ordered submitted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Consideration Continued

[Ballot Measure]
Charter amendment (Third Draft) adding Section 8.517-3 providing for early service retirement for miscellaneous employees. (Supervisors Conroy, Alioto)

File 263-93-1

Supervisor Conroy, seconded by Supervisor Migden, moved to continue consideration to July 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

Ordered Submitted

[Ballot Measure]
Charter amendment (Third Draft) amending Sections 8.559-4, 8.559-5, 8.585-4. 8.586-4, 8.586-5, 5.588-4 and 8.588-5 relating to pension benefits for surviving spouses of police officers and firefighters and miscellaneous employees and previously denied spouses. (Supervisors Maher, Alioto, Bierman, Conroy)

File 264-93-1

Ordered submitted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Consideration Continued

(Supervisor Conroy dissenting in Committee.)

[Ballot Measure]
Charter amendment (First Draft) amending Sections 8.590-1 through 8.590-7 relating to the bargaining of compensation and working conditions of District Attorney Investigators. (Supervisor Alioto)

File 265-93-1

Supervisor Bierman, seconded by Supervisor Kennedy, moved to continue consideration to July 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Ordered Submitted

[Ballot Measure]
Charter amendment (Second Draft) amending Sections 8.100, 9.103, 9.104, 9.108, 9.109, 9.110, 9.111, 9.113 and 9.114 and repealing Section 9.100-2 relating to elections. (Supervisors Bierman, Alioto)

File 266-93-1

Ordered submitted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Ordered Submitted as Amended

[Ballot Measure]
Charter amendment (((First)) Second Draft) adding Section 9.103-1 relating to charter review. (Supervisors Bierman, Alioto)

File 266-93-1.1

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend the first paragraph so it shall read as follows: "Rather than a blueprint for effective municipal government, the 61 year old document has evolved into a 300 page tangle of bureaucratic provisions that prevents the city's managers from being held accountable and results in wasted human and financial resources."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Ordered submitted as amended (Second Draft) by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Tabled

[Ballot Measure]
Charter amendment (Second Draft) amending Section 3.674 relating to the funding of the retirement system (to extend the time period for amortizing unfunded prior service liabilities. (Supervisors Conroy, Alioto)

File 268-93-1

Supervisor Conroy, seconded by Supervisor Maher, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Consideration Continued

[Ballot Measure]
Charter amendment (Third Draft) adding Section 8.517-4 providing for early service retirement of police officers and firefighters. (Supervisors Conroy, Alioto)

File 269-93-1

Supervisor Conroy, seconded by Supervisor Maher, moved to continue consideration to July 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Ballot Measure]
Charter amendment (Second Draft) adding Section 8.500-2 providing for the modification of retirement benefits by ordinance. (Supervisor Maher)

File 289-93-1

Supervisor Maher, seconded by Supervisor Migden, moved to continue consideration to July 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

With Recommendation "DO NOT SUBMIT"

Refused Submission

(Supervisor Bierman dissenting in Committee)

[Ballot Measure]
Charter amendment (First Draft) amending Section 6.203 to require the Mayor to transmit to the Board of Supervisors the proposed budget for the ensuing fiscal year by the first day of May of each year. (Supervisor Migden)

File 242-93-1

Refused submission by the following vote:

Ayes: Supervisors Bierman, Kaufman, Leal, Migden, Shelley - 5.

Noes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kennedy, Maher - 6.

From the President

(Committee of the Whole)

Consideration Continued

[Redevelopment Strategic Plan]
To consider the Redevelopment Agency's Strategic Plan. (Supervisor Kennedy)

File 161-93-6

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to August 9, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

NEW BUSINESS

Recommendations of Budget Committee

Consideration Continued

[Annual Budget]
Annual Budget for the City and County of San Francisco for fiscal year 1993-94.

File 100-93-1

(Administrative Code Section 3.5 provides the Board shall adopt the Budget not earlier than July 15, 1993 nor later than July 26, 1993.)

Statement from the Chair of the Budget Commitee on submitting the 1993-1994 fiscal year budget to the Board of Supervisors

"My dear colleagues, on behalf of the Vice Chair, Tom Hsieh, President Angela Alioto and myself, the Budget Committee presents to the Board of Supervisors its recommended Budget for the City and County of San Francisco for fiscal year 1993-94.

Once again, the City was faced with an enormous General Fund Revenue shortfall, amounting to an estimated 188.5 million dollars. This shortfall was addressed by the Mayor through a combination of Tax and Revenue increases amounting to an estimated $53.7 Million (28.5 percent) and expenditure reductions estimated at $134.8 million (71.5 percent).

As we all know, one of the worst revenue problems for the city this year stemmed from the proposed property tax shift to the state. Fortunately, we have done much better in this area than we had previously feared. The mayor's budget set the property tax loss at $70 million. While the tax shift ended up to be some $85 million, this loss has been offset by our ability to collect $22.6 million in sales tax revenue to January 1. This figure also stands to be reduced by trailer bills pending in the State legislature that credit San Francisco for certain expenditures such as jail overcrowding.

Pending voter approval in November, we may also be able to collect an additional $22.6 million for use in restoring health and other services for the second six months of the fiscal year.

It may also be possible for us to collect some $8 million in retirement funds in the second half of the year to help assure the continuation of general fund programs.

There have been many proposals and charter amendments presented by members of this body which I believe, if advanced and approved by the voters, will promote greater efficiency and cost savings in the years ahead.

In the face of meager resources, the Budget Committee was faced this year with the considerable task of repairing a budget sent to the Board of Supervisors seriously out of balance with underfunded items, the task of identifying revenues to replace those we find unacceptable in the mayor's proposal and the task of addressing the high priorities of restoring vital health and public safety expenditures.

Our Committee was distressed by the devastating budget cuts made by the Mayor to city and county departments. We believed that it was our mission to recommend a budget which more closely reflected the humanity and the shared values of the people of our city.

We made a careful and intensive review of all departments.

I will provide each of you with a comprehensive analysis of the Committee's findings detailing the Mayor's submission, and the Committee's actions and considerations pursuant to our review of the Mayor's proposed budget.

I would prefer at this time to present to you the highlights of our proposed budget, the philosophical and tangible differences between the Committee's and the Mayor's submission and conclude by reading into the record pertinent factual data pertaining to the sixty-two departments that were individually reviewed.

The Committee is pleased to submit its recommendations to the Board of Supervisors with unanimity.

The budget submitted by the Budget Committee includes total reductions of approximately $14.1 million (excluding reductions made to the budget of the Redevelopment Agency) beyond those proposed by the Mayor.

Of the $14.1 million in net budget reductions, approximately $5.1 million is from general fund appropriations recommended by the Budget Analyst and approved by the Committee, and $9.3 million

placed on reserve pending further information from departments.

Let me point out that the $5.1 million in identified general funds savings unfortunately shrank to $4.7 million as the Mayor's office submitted yet another budget "correction" during the final week of our review.

The Committee used the $4.7 million savings as a foundation on which to build the 18.2 million dollar revenue package designed to restore critical public health services and to eliminate the necessity for adopting a new condominium conversion fee as had been proposed by the Mayor.

Our proposed new revenues include the following:

RECOGNITION OF ADDITIONAL STATE REVENUES (includes realignment funds, jail overcrowding relief, and fire claim reimbursements)	$4.0 million
USE OF SURPLUS CHILDREN'S FUND MONIES	2.1 million
PUBLIC HEALTH SERVICES	
REVENUE FOR LAND SALES OF SURPLUS CITY OWNED PROPERTY	0.4 million
UTILITY USER TAX INCREASE FROM 7.0 TO 7.5%	2.6 million
FURTHER CONCESSIONS FROM LABOR NEGOTIATIONS	4.4 million
FROM NURSES general fund net savings	4.7 MILLION
Total:	18.2 million

As of the writing of this Budget Statement, $2.2 million of this $4.4 million estimate of nurses concessions has been reached and I want to express my appreciation to Vice Chair Hsieh and President Alioto for their diligent efforts in this regard.

The committee has preliminarily recommended that $18.1 of the $18.2 million in available funds be allocated for the following specific purposes:

CATEGORY	AMOUNT
Elimination of mayor's proposed condominium conversion fee:	8.0 million
Restoration of 19.8 million for tier 1 and tier 2 health department programs for 6 months:	9.9 million
Restorations of Human Rights Commission salary and related costs:	0.2 MILLION
Total:	18.1 million

In addition to these priorities the budget committee has approximately $8 million in other restorations under consideration, pending our identification of needed revenues. these include additional appropriations for the municipal railway, the sheriff, and the zoo partnership. the committee concurs with the mayor's office that these departments will require additional funding in order to maintain muni service levels and meet court ordered staffing requirements for the sheriff.

It should also be noted that the committee's decision to transfer the expenditures of selected children's health programs to the Prop J fund in no way mitigates the city's commitment to funding children's services.

During the course of its review, the committee identified considerable general fund allocations to children specific services, including $545,000 for school crossing guards; moreover, the committee expects to consider a $500,000 appropriation to the zoo as part of the budget analyst's report on the mayor's under budgeted expenditures and overstated revenues for fiscal year 1993-94.

I have attached the summary of the budget analyst's report vis a vis the mayor's underbudgeted expenditures and overstated revenues. You will upon review note that an additional $16.2 million problem looms due to increased costs of overtime and the general assistance program. The committee is seriously concerned about the problems identified in the memo and will address the shortages identified in upcoming budget deliberations.

Let me move to a discussion of the health budget. The main priority of the budget committee was to restore health services that were cut from the mayor's original proposed budget. At the direction of the committee, the Department of Public Health has created a three-tiered critical reinstatement list. The following table details proposed restorations in order of priority as determined by the Department of Public Health.

SERVICES TO BE RESTORED	GENERAL FUND REQUIREMENT
TIER 1	
LAGUNA HONDA: 300 inpatient beds	2.6 million
SFGH: 65,000 outpatient visits and ancillary services;psychiatric emergency services; rehabilitation unit outpatient visits	3.7 million
COMMUNITY MENTAL HEALTH: center for special problems; homeless programs; Napa hospital beds	6.7 million
COMMUNITY HEALTH SERVICES: health center #3 and related temporary salaries	1.3 million
Total Tier 1:	14.3 million

TIER 2

LAGUNA HONDA HOSPITAL: adult day health/senior nutrition	0.4 million
SFGH: psychiatric consultation, pain management and other outpatient support; Ward 5a staffing levels; substance abuse (methadone) detox	2.3 million
MENTAL HEALTH AND SUBSTANCE ABUSE: community outpatient services	1.4 million
COMMUNITY HEALTH SERVICES: adult dental; public health nursing; environmental health and toxics	1.4 million
Total Tier 2:	5.5 million

TIER 3

SFGH: outpatient support, paramedic services, 18 inpatient beds and ancillary support	6.1 million
MENTAL HEALTH AND SUBSTANCE ABUSE: community education and treatment	.7 million
COMMUNITY HEALTH SERVICES: environmental health toxics	.3 million
Total Tier 3:	7.1 million
Grand Total:	26.9 million

The committee recommended funding for Tier 1 and Tier 2 of the Health Department restorations for a six month period.

The decision to recommend funding for six months enabled the committee to propose a higher level of service reinstatements than possible absent the voter's decision about the second half year of sales tax revenue. It is important to point out that without approval of that sales tax funding in November, health department services the Budget Committee is moving to restore will have to be eliminated, and the city will face very severe economic consequences to be felt by all our people.

The Budget Committee recognizes the fragility of the proposed reinstatement budget. We plan to convene again on Friday of this week to continue to review revenue options and update our deliberations. We have identified secondary revenue streams that may be required if our proposed revenue assumptions fail to be certifiable by the controller at the end of the week. At this point, we are centrally concerned about the outcome of various state "trailer" bills which could provide up to $8 million in additional revenue. Supervisor Kaufman has been advancing a package of state legislation which could yield millions of dollars. Vice Chair Hsieh has been negotiating with the Municipal Railway to develop an alternative to the $1.25 fare increase and the Budget Committee has identified other "fall back" revenue measures which could be activated if necessary to balance the recommended budget.

In conclusion, the committee's proposed budget establishes a general fund reserve of $10 million, the highest since fiscal year 1990-91. This is largely due to the committee's innovative fund transfers and adjustments by the Controller.

Before I read a summary of issues faced by the major departments, I would like to take this opportunity to express my appreciation to my committee, Vice Chair Tom Hsieh and President Angela Alioto who listened carefully to all of the public testimony, asked probing questions, reviewed every budgetary item presented and exercised care as well as toughness in arriving at each of their final recommendations.

The committee would also like to thank Budget Analyst Harvey Rose and his assistants, Bill Courtright and Ken Bruce as well as the entire staff of the Budget Analyst's Office, Controller Ed Harrington, Chief Assistant Controller John Madden, and Susan Andrus and their staff from the Controller's office, the Mayor's Budget Director Teresa Serata, Theresa Lee and their staff from the Mayor's Office and our Clerk Ms. Kay Gulbengay for their outstanding work and dedication. The Legislative Assistants to the committee members also deserve recognition for their hard work. We therefore wish to thank Dana van Gorder and Melissa Barker from my office, Stephen Kawa and Frank Lee from Vice Chair Hsieh's office and Lester Olmstead-Rose and Reginald Smith from President Alioto's office.

Moreover, we would like to express our appreciation to our city's departments for working cooperatively with us and to the many members of the general public who took the time to come to city hall and express their views. Thank you all.

Now for the record. Let me outline issues with respect to some of the departments that have been the subject of discussion in recent weeks, excluding the health department which I have already covered.

All city departments are discussed in the budget statement I have submitted today, and you will want to refer to this document for more detail.

POLICE DEPARTMENT The major issue in the police department budget was, of course, the reinstatement of 85 police officer positions deleted by the mayor. Through negotiations with the POA, these positions are restored through a program of salary savings and reductions in overtime expenditures.

Let me mention that police overtime has been seriously

underfunded in every prior year's budget, requiring supplemental appropriations, and has been heavily reduced in the budget before you. It will be extremely important as we proceed through this year that we keep police overtime at budgeted levels, particularly because the 85 officer's positions are funded based upon expenditures in this area. It is my intention to introduce legislation that will control overtime not only in the Police Department but throughout the city.

At the urging of Supervisor Hsieh, the Budget Committee has restored the senior escort program in the amount of $135k until July 31, and it has recommended funding for 12 new positions to strengthen operations of the emergency 911 system, for a total increase of 28 positions since the 1992-1993 budget was adopted.

FIRE DEPARTMENT The Fire Department's budget has been reduced by some $6.9 million. These cuts represent $5.1 million in salary savings and $1.8 million in overtime and scheduling changes. This budget eliminates nine vacant chief's aides positions that have been the subject of some controversy in the past. Additionally, firefighters will be taking a work furlough totalling 120 hours per employee on a rotating bases without closing any stations or reducing critical service levels.

SHERIFF The Sheriff's is the only budget of the 8 major departments that has grown in the past year as a result of court ordered staffing increases and settlements of lawsuits due to jail overcrowding. This budget has actually increased by $11.7 million since 1992-93.

The outstanding issue with respect to the sheriff is the question of funding for the opening of the Hall of Justice jail facility currently under construction. The proposed budget does not include nearly $2 million in staffing required to open this facility this year. This issue will have to be addressed in the second half of the year along with decisions that follow the receipt of the $22 million in sales tax revenue if approved, and perhaps an additional $8 million in retirement revenues in January.

MUNI The issue of $12.8 million in additional fare revenue is the major issue for Muni. As I have mentioned, Supervisor Hsieh is working on an alternative proposal to that recommended by the Public Utilities Commission. Let me point out, however, that the Budget Committee has assumed there will be a fare restructuring that generated this $12.8 million in needed revenue. Should the Board decide that it is unwilling to increase fare revenue, it will need to approve an additional $12.8 million in revenue or cut this amount from health department reinstatements.

As I have mentioned, Muni's budget currently includes a $5.3 million service reduction resulting from salary savings. The Budget Committee is currently working to identify a revenue source for this underfunded item, and it is a high priority to assure that there is not a service cut resulting from this budget. This will be among the follow-up items we address at our final session on Friday.

DEPARTMENT OF SOCIAL SERVICES As you know, the Department of Social Services recommended that the Board adopt legislation providing for fingerprinting of general assistance clients in order to achieve savings in this program of some $3.2 million. This legislation has not yet been approved and in the opinion of members of the committee may not be either desirable or capable of achieving the savings needed. The Budget Committee has therefore adopted the

Controller's recommendation that we establish a reserve of $3.2 million in the general fund allocation for general assistance, pending resolution of the fingerprinting issue. It may be necessary for the department to achieve savings in some way other than this proposal. If it is unable to do so, let me point out that the DSS budget may be underfunded mid year by some $2 to $3.2 million.

RECREATION AND PARK The principal issue with respect to the Recreation and Park Department budget, in addition to the $500,000 in underfunding for the Zoo partnership, had to do with swimming pool closures.

The Mayor's budget proposed closing two of the city's nine pools. At the urging of the Budget Committee, the department developed an alternative proposal that will keep all of the pools open five days per week, though Coffman will only be open during the school year and King will only operate during the summer.

COMMISSION ON AGING The commission on aging budget includes a transfer of $890k from the Police Department budget for the Senior Escort Program which the department intends to contract out beginning in August. Let me point out that this program remains funded in the Police Department budget until that time.

Additionally, the Budget Committee has approved the department's plan to contract for professional services to operate its information and assistance program also beginning in August. These contracts will delete 45 positions in the Police Department and 8.5 positions in the Commission budget to achieve substantial savings.

PUBLIC LIBRARY As you know, the Public Library has been hard hit in this budget, with only 6 months of branch library services for adults funded in the document before you. The Budget Committee is aware that the library is pursuing a parcel tax measure on the November ballot to restore the branches and some services at the main library for the balance of the year and into the future. If this measure fails, more than 100 temporary library personnel will be terminated in January of 1994.

CHILDREN'S FUND As I have mentioned, the Budget Committee has identified $2.1 million in children's health services that it wishes to transfer from the health department to the Children's Fund.

Let me also point out that the Children's Fund budget continues to grow each year, and has increased $7 million dollars over last year's budget of $5.3 million. In recent months, we have increased staffing in this department to enable it to develop a comprehensive plan that addresses the urgent need for stronger children's services. I want to thank Mr. Lincoln for working with me to address the need for funding of health services among the priorities of the Children's Fund.

Unfortunately, if the plan to use some $2 million of this increase is unsuccessful, it will be necessary to approve another revenue item or cut health department restorations by the same amount.

ASSESSOR As you are aware, the city has been losing substantial property tax revenues as a result of inadequate staffing levels in the Assessor's Office. This problem has resulted in lost revenue first because we have been unable to identify cases in which

property transfers have gone unreported and reassessments have been escaped, and second because we are unable to fully respond to assessment appeals brought by owners of large commercial properties.

The Budget Committee has put an additional $500k in the Assessor's budget to contract for professional services to assist in stopping this hemorrhaging in our property tax revenues.

For more specific information on other departments, I hope you will review the committee's additional budget statement.

At the regular meeting of the Board of Supervisors on July 19, 1993, I will move that the budget, as amended in accordance with the recommendations of the budget committee, be adopted."

Supervisor Migden, seconded by Supervisor Hsieh, moved to continue consideration to July 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

[Annual Appropriation Ordinance 1993-94]
Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1994. (Mayor)

File 101-93-2, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Leal, moved to continue consideration to July 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

[Annual Salary Ordinance, 1993-94]
Ordinance enumerating positions in the annual budget and appropriation ordinance for the fiscal year ending June 30, 1994, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or state law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing

appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations thereof. (Civil Service Commission)

File 102-93-2, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Leal, moved to continue consideration to July 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

Passed for Second Reading

[Special Election]
Ordinance calling and providing for a Special Election to be held in the City and County of San Francisco on Tuesday, November 2, 1993, for the purpose of submitting to the voters of the City and County of San Francisco propositions to incur the following bonded debts of the City and County for the acquisition, construction or reconstruction by the City and County of San Francisco of the following municipal improvements, to wit; ninety-eight million, forty-five thousand dollars ($98,045,000) for the acquisition, construction or reconstruction of cultural facilities, including construction and reconstruction of certain improvements to the Main Library for purpose of relocating the Asian Art Museum to such location, the acquisition, construction and reconstruction of certain improvements to the Steinhart Aquarium, the construction and reconstruction of certain improvements to five community cultural facilities (Mission Cultural Center, Bayview Opera House, Centers for African and African-American Art and Culture--Western Addition, South of Market Cultural Center and the Art Commission Gallery), the construction and reconstruction of certain improvements to the Palace of Fine Arts (Exploratorium), and acquisition and capital improvements for Gay/Lesbian Cultural Center; and sixty-eight million dollars ($68,000,000) for the acquisition, construction or reconstruction of certain improvements to streets, sidewalks, street lighting and utilities, including street and sidewalk improvements, traffic safety improvements, street lighting improvements, and improvements for the undergrounding of certain utilities; and that the estimated cost of said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such municipal improvements; fixing the date of election and the manner of holding such election and the procedure for voting for or against the propositions; fixing the maximum rate of interest on said bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the Special

Election with the General Election; and providing that the election precincts, voting places and officers for election shall be the same as for such General Election. (Chief Administrative Officer)

File 60-93-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Lease of Property]
Ordinance authorizing second amendment to lease of Water Department land in San Francisco and San Mateo Counties with The Olympic Club (17.35 acres). (Supervisor Alioto)

File 65-93-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Cash Revolving Fund for Office of Citizen Complaints]
Ordinance amending Administrative Code, establishing a cash revolving fund for the Office of Citizen complaints in the amount of $600. (Police Commission)

File 97-93-35, Ordinance No.

(Adds Section 10.169-10.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

[Use of Parking Meter Funds]
Ordinance amending Traffic Code, to credit $8,000,000 of parking meter collections to the General Fund in fiscal year 1993-94. (Department of Parking and Traffic)

File 124-93-4, Ordinance No.

(Amends Section 213.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

Adopted

[Garage Parking Rates]
Resolution approving changes in parking rates at the Sutter-Stockton and Ellis-O'Farrell garages. (Department of Parking and Traffic)

File 47-93-2, Resolution No. 536-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Sale of Real Property]
Resolution confirming sale of surplus City-owned property (Water Department property located near Lake Merced Boulevard and John Muir Drive) to The Olympic Club. (Supervisor Alioto)

File 96-93-1.2, Resolution No. 513-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Noes: Supervisors Bierman, Hallinan - 2.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Reciprocal Benefits]
Ordinance amending Administrative Code, regarding internal reciprocity of pension benefits within the Retirement System. (Supervisors Conroy, Alioto)

File 97-93-10, Ordinance No.

(Adds Section 16.55-7.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

[Lien Proceeding Administration Costs]
Ordinance amending the Fire Code, to authorize the Fire Department to collect delinquent fees through the perfection of a lien. (Fire Commission)

File 117-93-1, Ordinance No.

(Adds Section 4.209.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

Adopted

[Contract Modification]
Resolution authorizing retroactively the Municipal Railway to modify an existing contract with Breda Costruzioni Ferroviarie S.P.A. (Public Utilities Commission)

File 172-92-22.1, Resolution No. 552-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

[Cable TV Rates]
Resolution approving the submission of a certification application to the Federal Communications Commission (FCC) to regulate Cable TV rates and adopt and administer FCC regulations. (Supervisor Bierman)

File 32-93-3, Resolution No. 533-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted as Amended

[Memorandum of Agreement]
Resolution ratifying Memorandum of Agreement with United Public Employees Local 790 (Parking Control Officers). (Employee Relations Division)

File 93-93-5, Resolution No. 543-93

Supervisor Kennedy, seconded by Supervisor Leal, moved to amend line 24, after "Francisco." by adding, "Provided that this ratification shall be effective only if the MOA is amended to provide that should a city-wide MOU or arbitration award affecting United Public Employees Local 790 become effective during the term of the MOA, the MOA will either expire or become incorporated in the city-wide MOU."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to accept and expend a grant of $35,900, which includes indirect costs in the amount of $3,080, based on twenty percent of salaries from State Emergency Medical Services Authority, for the development of Uniform Prehospital Treatment Guidelines; providing for ratification of action previously taken. (Department of Public Health)

File 146-93-2.1, Resolution No. 544-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

From Government Efficiency and Labor Committee
"Without Recommendation"

Adopted

[Award of Management Agreement]
Resolution confirming award of the management agreement for the Vallejo Street Garage (766 Vallejo Street) to City Parking Company. (Real Estate Department)

File 47-92-8.1, Resolution No. 537-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Lease of Real Property Lease]
Resolution authorizing the renewal of lease of real property at Sixth and Ahern Streets described as Lot "D", Block 3759, Lot 9 and portion of Lot 12, for the Sheriff's Department for use as replacement parking for Police Department vehicles during Hall of Justice Construction Project. (Real Estate Department)

File 64-93-11, Resolution No. 538-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Noes: Supervisor Kaufman - 1.

Absent: Supervisors Hsieh, Leal - 2.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1511 changing the official widths of sidewalk on the northeast corner of Brannan and Eighth Streets; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-93-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Rent Ordinance]
Ordinance amending Administrative Code, to exempt from Chapter 37 dwelling units solely owned by a non-profit public benefit corporation in which a majority of its governing body are residents

of the dwelling units and whose bylaws require rent increases be approved by a majority of residents of the dwelling units. (Supervisor Bierman)

File 109-93-3, Ordinance No.

(Amends Section 37.2(p)(2).)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution confirming Mayor's appointment to the San Francisco Redevelopment Agency, for term ending September 3, 1994. (Mayor)

File 33-93-6, Resolution No. 534-93

(Leslie Tang Schilling, vice Ben Hom, removed.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Appointment]
Resolution appointing member to the newly established Joint Task Force on the HIV Epidemic. (Rules Committee)

File 92-93-14.2, Resolution No. 553-93

(Melissa Marsh.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Appointments]
Resolution appointing members to the newly established National Service Blue Ribbon Commission. (Rules Committee)

File 92-93-24, Resolution No. 540-93

(Gabriela Melano;
Carl L. Williams;
Ethel S. Newlin;
Michael Frederickson;
Laurence Pelosi.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Appointments]
Resolution appointing members to the City-Wide Alcoholism Advisory Board, terms expired, for three-year terms ending July 1, 1996. (Rules Committee)

File 92-93-29, Resolution No. 541-93

(Philip Zamora, vice himself;
Paula Fiscal, vice herself;
Michael Hall, vice himself;
Robert Nelson, Jr., vice himself;
Maryanne Flemming, vice herself.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Appointment]
Resolution appointing member to the Seismic Safety Retrofit Bond Program Advisory Board, for the unexpired portion of the two-year term ending March 1, 1995. (Rules Committee)

File 92-93-30, Resolution No. 542-93

(Mitchell M. Zeemont, financial/mortgage brokerage, vice Derek Y. Chan, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Called from Rules Committee by Supervisor Migden

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Refused Submission

[Ballot Measure]
Charter amendment (Second Draft) amending Section 8.406 relating to the reduction of salaries of city employees and officials.

File 261-93-1

Suspension of the Rules

Supervisor Maher, seconded by Supervisor Bierman, moved that the time limits prescribed in Rule 5.5(g) of the Rules of Order of the Board of Supervisors be suspended to permit consideration of the Charter amendment today.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

The roll was called on the pending Charter amendment and it was refused submission by the following vote:

Ayes: Supervisors Leal, Migden - 2.

Noes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 9.

SPECIAL ORDER 3:00 P.M.

Appeal Withdrawn; Filed

[Public Hearing]
Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13525, dated May 20, 1993, approving Conditional Use Application No. 92.493C, authorizing conversion of dwelling unit to an additional restaurant space in an SLI (Service/Light Industrial) District and a 50-X Height and Bulk District of property located at 103-105 Freelon Street (also 570 Fourth Street), southwest corner at Fourth Street, Lot 30 in Assessor's Block 3777.

File 37-93-4

(Appeal filed June 18, 1993.)

The Clerk announced that the Board of Supervisors received a communication from the appellant, dated July 8, 1993, asking that the appeal be cancelled (copy of which is contained in office of the Clerk of the Board of Supervisors).

There being no objection, the hearing was ordered filed.

Tabled

(Only one of the following two motions should be adopted.)

[Zoning Appeal]
Motion approving decision of the City Planning Commission by its Motion 13525, approving Conditional Use Application No. 92.493C, of property located at 103-105 Freelon Street (also 570 Fourth Street), and adopting findings pursuant to City Planning Code Section 101.1.

File 37-93-4.1

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Zoning Appeal]
Motion disapproving decision of the City Planning Commission by its Motion 13525, approving Conditional Use Application No. 92.493C, of property located at 103-105 Freelon Street (also 570 Fourth Street), and adopting findings pursuant to City Planning Code Section 101.1.

File 37-93-4.2

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Findings]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 92.493C of property located at 103-105 Freelon Street (Also 570 Fourth Street), for action by the Board at its next meeting.

File 37-93-4.3

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

COMMITTEE REPORTS

From Rules Committee Without Recommendation

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Consideration Continued

[Ballot Measure]
Charter amendment (First Draft) amending Sections 3.100-2, 3.661, 3.681, 3.682, 8.420, 8.429 and 8.515 and adding Sections 3.662 and 3.663 to create a Department of Human Resources encompassing the Employee Relations Division, Health Services System, Workers Compensational policy functions of the Civil Service Commission, to convert the Civil Service Commission into an appellate body, to make the Human Resources Director appointed by the Mayor and confirmed by the Board of Supervisors and to make the Director of Employee Relations appointed by the Human Resources Director. (Supervisor Kaufman)

File 248-93-1

Supervisor Kaufman, seconded by Supervisor Leal, moved to continue consideration to July 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Dehnert Queen;
Fiatoa Tavai.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

(The following two items were acted upon separately.)

Referred to Economic Vitality and Social Policy Committee

[Democracy in Haiti]
Motion urging President Bill Clinton and the United State Congress to use all available means to achieve the return to democracy in Haiti and to assist in fully restoring President Aristide to this office as the duly elected leader of Haiti. (Supervisor Hallinan)

File 13-93-20.1

(July 6, 1993 - Consideration Continued to July 12, 1993.)

At the request of Supervisor Hallinan, the above item was referred to Economic Vitality and Social Policy Committee.

Adopted

[IHSS Funds]
Resolution requesting the Health and Welfare Agency of the State of California to approve the pending In Home Support Services (IHSS) Consortium Contract and to expedite implementation of the provisions of SB 35 which make $250,000 in funds available to San Francisco County for the establishment of a Homecare Authority and urging the Mayor to urge the Social Services Commission and the General Manager of the Department of Social Services to set aside up to $315,000 in general fund savings generated by the Medi-Cal Personal Care Option for start-up of a county-wide central IHSS Registry and continuation of the increased wage rate of $5.16 per hour for the approximately 200 homecare workers trained by the IHSS Consortium. (Supervisor Kennedy)

File 12-93-20, Resolution No. 525-93

(July 6, 1993 - Introduced in Board for consideration on July 12, 1993.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kennedy, Leal, Migden - 7.

Absent: Supervisors Hsieh, Kaufman, Maher, Shelley - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-28, Resolution No. 522-93

(Willie B. Kennedy, member, Board of Supervisors, July 15 - 24; Bill Maher, member, Board of Supervisors, July 21 - 28; Lucille Abrahamson, member, Human Rights Commission, July 17 - 23; Frank Fung, Vice President, City Planning Commission, July 19 - 26; Sharon Gadberry, member, Human Rights Commission, July 14 - 18 and July 22 - August 3; Virginia C. Gee, member, Library Commission, July 15 - 25 and August 10 - 23; James K. Ho. member, Airports Commission, July 8 - 17; Thomas E. Horn, President, War Memorial Board of Trustees, June 30 - July 10; Fred E. Jordan, Jr., Chief Probation Officer, July 8 - 11 and 17 - 22; Susan Lowenberg, member, City Planning Commission, June 24 - July 1; Grant S. Mickins, member, Civil Service Commission, June 24 - 27; Louise Renne, City Attorney, July 14 - 18; Barbara C. Rosenberg, member, Library Commission, June 27 - July 6 and July 9 - 11; Paul Rosenstiel, member, Health Commission, June 20 - 27; Arlo Smith, District Attorney, July 16 - 22; Roselyne C. Swig, member, Library Commission, July 15 - 25, 1993.

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Sports]
Resolution welcoming the International Hockey League and Powerplay Enterprises, Inc. to San Francisco, urging the Mayor to welcome the International Hockey League and Powerplay Enterprises, Inc. to San Francisco.

File 4-93-20, Resolution No. 514-93

Supervisors Conroy, Alioto presented for immediate adoption.

Adopted.

[State Legislation]
Resolution opposing passage of SB 1239 concerning AIDS testing and urging the Mayor to direct the City's Lobbyist to urge the State Legislature to oppose SB 1239 (Russell).

File 12-93-21, Resolution No. 512-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Assault Weapons Ban]
Resolution urging the State of California to enact a comprehensive ban on the sale, manufacture, transportation and possession of assault weapons and urging the State of California to support local legislation that regulates or bans the sale, manufacture, transportation and possession of assault weapons.

File 12-93-23, Resolution No. 524-93

Supervisors Leal, Conroy, Bierman presented for immediate adoption.

Adopted.

[Naval Facilities Engineering Command]
Resolution urging the Mayor to use whatever authority necessary to get the Navy to award a contract to Resource Recovery International Corporation to honor the berthing of the USS Bennington at the San Francisco Naval Shipyard for the purpose of breaking ships.

File 13-93-25, Resolution No. 523-93

Supervisor Kennedy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisor Hsieh, Kaufman, Maher - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Business and Payroll Expense Tax Amnesty]
Draft ordinance amending Part III, Municipal Code, by adding Article 17, Sections 1700 through 1706 to establish a tax penalty amnesty program for delinquent payroll expense and business taxes. (Supervisor Kaufman presented.) Referred to Budget Committee.

File 127-93-17

[Business Tax Registration Certificates]
Draft ordinance amending Part III, Municipal Code, by amending Section 26(b) and by adding Section 41 to require all departments to require business tax registration certificate numbers from all contractors and subcontractors for permits and certificates of final completion related to building or construction and to prescribe penalties for failure to make disclosures of contractors and subcontractors; amending the Building Code by amending Section 302(a)1 to reference requirement in municipal code for identity of and business tax registration certificates numbers of all subcontractors upon application for permit for construction; amending the San Francisco Building Code by amending Section 307(d and g) to reference requirement in municipal code for identity of and business tax registration certificate numbers of all subcontractors upon application for issuance of a temporary certificate of completion or certificate of final completion. Amending Electrical Code by amending Section 302(a) and amending Plumbing Code by amending Section 20.6 to reference requirement for identity of and business tax registration certificate numbers of all subcontractors upon application for issuance of a permit. (Supervisors Kaufman, Leal presented.) Referred to Budget Committee.

File 127-93-18

[Local Transactions and Use Tax]
Ordinance levying a one-half of one percent transactions and use tax, said levy being conditioned on the failure of Senate Constitutional Amendment Number One imposing a statewide one-half of

one percent sales and use tax to be submitted to the State electorate at the State Special Election to be held on November 2, 1993 (Amends Part III, Municipal Code, by adding Article 16, Sections 1601 through 1616.). (Supervisor Migden presented.) Referred to Budget Committee with request it be considered at a special meeting on July 16, 1993.

File 296-93-1

Referred to Board

[Commendation]
Resolution commending Diane Flannery for five years of distinguished service as Executive Director of the Larkin Street Youth Center. (Supervisor Shelley presented.) Referred to Board July 19, 1993 For Adoption Without Committee Reference Calendar.

File 6-93-17

Referred to Committee

[State Sales Tax - Public Safety Services]
Resolution requesting an allocation of revenue from the State Local Public Safety Fund, ratifying the statewide imposition of an additional one-half percent rate of sales and use tax pursuant to Senate Constitutional Amendment One on the November 2, 1993 Special Election ballot and requesting the establishment of a Public Safety Augmentation Fund. (Supervisor Migden presented.) Referred to Budget Committee with request it be considered at a special meeting on July 16, 1993.

File 12-93-22

[Lease of Real Property]
Resolution authorizing a lease of real property at 1307 Evans Avenue for the Department of Public Health (Family Mosaic Program). (Supervisor Migden presented.) Referred to Government Efficiency and Labor Committee with request it be considered at the July 21, 1993 meeting.

File 64-93-15

[Parking Amnesty Program]
Resolution urging the Municipal Court to implement a thirty-day amnesty program for unpaid parking citations; and urging the Mayor to urge the Parking and Traffic Commission to direct the Department of Parking and Traffic to investigate transferring the collection of parking fines to a private firm specializing in providing such services; and making a recommendation regarding same to the Board of Supervisors. (Supervisor Kaufman presented.) Referred to Budget Committee.

File 190-93-7

Called from Rules Committee

[Ballot Measure]
Charter amendment (Draft) amending Section 2.101 to allow the Board of Supervisors to combine or to transfer and redistribute among departments or offices any function or duty assigned to any department by charter or by ordinance. (Mayor) Called from Rules Committee by Supervisor Migden; scheduled for consideration by the Board on July 19, 1993.

File 247-93-1

Referred to Committee

[Ballot Measure]
Charter amendment (First Draft) amending Section 8.409-2 to permit recognized employee organizations representing the classifications electing to remain within the coverage of charter sections 8.401 and 8.407, who have not previously elected to receive additional training or furlough days and a dental plan, to do so in exchange for acceptance of a wage freeze for 1993-94. (Supervisor Hallinan presented.) Referred to Rules Committee with request it be considered at a special meeting on July 19, 1993.

File 294-93-1

Requests for Hearings:

File 100-93-10, By Supervisor Migden: To consider status of final projected State revenues and its impact on San Francisco and possible further amendments by the Budget Committee to the Annual Budget for fiscal year 1993-94. Referred to Budget Committee with request it be considered at a special meeting on July 16, 1993.

File 295-93-1, By Supervisor Bierman: To consider the status of planning for the Northeast Mission Industrial Zone. Referred to Housing and Land Use Committee.

Referred to Board

File 30-93-5.9 [Needle Exchange] Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto presented.) Referred to Board July 19, 1993 For Adoption Without Committee Reference Calendar.

File 54-92-3.1 [Base Closures Select Committee] Motion adding to the functions of the Select Committee of the Board of Supervisors on the impact on city services by closures of Hunters Point Naval Shipyard and Presidio Army Base and renaming the committee the Select Committee of the Board of Supervisors on the Impact on City Services by Closures of Hunters Point Naval Shipyard, Presidio Army Base, and Treasure Island Naval Station. (Supervisor Shelley presented.) Referred to Rules Committee.

File 60-93-7 [Ballot Measure] Motion ordering submission of ordinance levying transactions and use tax to the qualified electors of the City and County at the general election to be held on November 2, 1993. (Supervisor Migden presented.) Referred to Budget Committee with request it be considered at the July 16, 1993 special meeting.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 36-93-1.1. [Zoning Map Change] Adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco located at 4139-47 19th Street, Lots 31 and 32, Assessor's Block 2696 from an RH-3 District to an NC-1 District; and adopting findings pursuant to Planning Code Section 101.1.; companion measure to File 36-93-1. (Department of City Planning) Housing and Land Use

File 97-93-39. [Sanctuary Ordinance Amendment] Amending Administrative Code by amending Chapter 12H, Section 12H-1 thereof, which prohibits use of City and County resources to assist in enforcement of Federal immigration laws, to permit identifying and reporting in certain circumstances persons who are in custody after being booked for the alleged commission of a felony. (Mayor) Budget

File 154-93-1.1. [Contract Amendment - District Attorney Investigators] Authorizing an amendment to the contract between the Board of Administration of the California Public Employees' Retirement System and the City and County of San Francisco relating to retirement benefits for certain City employees; companion measure to File 154-93-1. (Employees' Retirement System) Government Efficiency and Labor

Resolutions Referred to Committee

File 36-93-1. [Final Negative Declaration] Adopting Final Negative Declaration, finding and determining that the proposed zoning reclassification of Lots 31 through 35 of Assessor's Block 2696 (4127-47 19th Street from RH-3 (Three-Family Neighborhood District) to Castro Street NCD (Neighborhood Commercial District), or rezoning the same Lots 31 and 32 (4139-47 19th Street) from RH-3 to NC-1 (Neighborhood Commercial Cluster District), will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 36-93-1.1. (Department of City Planning) Housing and Land Use

File 64-93-13. [Extension of Existing Real Property Lease] Authorizing extension of three existing lease of real property for various City departments. (Real Estate Department) Government Efficiency and Labor

File 64-93-14. [Amendment to Existing Real Property Lease] Authorizing an amendment to an existing lease of real property at 25

Taylor Street, Rooms 605, 607 and 610, for the Department of Public Health for use as offices for the Tuberculosis and HIV screening and prevention services to high risk Tenderloin residents. (Real Estate Department) Government Efficiency and Labor

File 146-93-34. [Grant - State Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant not to exceed $2,276,553, which includes indirect costs not to exceed $63,700, based on ten percent of personnel costs, from the California Department of Health Services to continue funding the Master Grant Agreement; providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 146-93-35. [Grant - Federal Funds] Authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, Division of Tuberculosis Control, to apply for a grant of $2,511,292, from Centers for Disease Control which includes indirect costs in the amount of $80,024, based on twenty percent of salaries and required match in the amount of $828,726, which is sixty-seven percent of direct costs, from the existing City and County ad valorem funds for the Division of Tuberculosis Control for fiscal year 1993-94, for tuberculosis control services for the residents of San Francisco. (Department of Public Health) Government Efficiency and Labor

File 153-93-3. [Grant - Private Funds] Authorizing the Department of Social Services to apply for a grant in the amount of $20,000 from Northern California Grantmakers in order to conduct an evaluation of the effectiveness of the General Assistance Training and Employment Services (GATES) Program. (Department of Social Services) Government Efficiency and Labor

File 154-93-1. [PERS - District Attorney Investigators] Declaring notice of intention to approve an amendment to contract between the Board of Administration of the Public Employees' Retirement System and the Board of Supervisors of the City and County of San Francisco; companion measure to File 154-93-1.1. (Employees' Retirement System) Government Efficiency and Labor

File 172-93-27. [State Agreement] Authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to enter into a cooperative agreement with the State of California, Department of Vocational Rehabilitation retroactive to July 1, 1992 in the amount of $44,235 to provide vocational rehabilitation services to residents of San Francisco who are currently receiving or require substance abuse treatment services; authorizing and directing the Board to certify said agreement which shall include an indemnification of the State of California. (Department of Public Health) Government Efficiency and Labor

File 213-93-2. [Grant - Federal Funds] Authorizing the Airports Commission to file application, and accept and expend grant of $12,598,891 from Federal Aviation Administration for assistance in improvement at the Airport (A.I.P. No. 16). (Airports Commission) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that City Attorney and Controller review the question of reissuance of an expired warrant to Stanley Roberson under File 23-89-9 which was never considered by the Board of Supervisors.

By Supervisor Kennedy, that letter be sent to the Mayor urging him to urge the City Planning Commission to reconsider and not downgrade an upper management deputy director of planning position.

By Supervisor Conroy, that letter be sent to Channel 2 to convey the Board's disdain because of the disruption caused by the flying of a helicopter over a memorial service held on Sunday for victims of 101 California Street incident.

By Supervisor Kaufman, that City Attorney prepare appropriate legislation which would end the practice of the City paying the cost of storing private vehicles that have been stolen for introduction at the next Board meeting.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Nicholas Souza (Supervisor Alioto)
Cherie Souza (Supervisor Alioto)
Dorothy Barry Nielson (Supervisor Maher)
Francis C. Bovey (Supervisor Shelley)
Rai Yukio Okomoto (Supervisor Bierman)

File 2-93-28

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 7:03 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 13, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Vol. 88 No. 29

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Monday, July 19, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 19, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:16 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Noted absent at first roll call:

Supervisors Conroy, Kennedy - 2.

Quorum present.

Supervisor Conroy was noted present at 2:21 p.m.

Supervisor Kennedy excused, on official leave of absence.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Hallinan, moved that the Journal of Proceedings for Monday, February 8, 1993, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Presentation of Guests

Supervisor Shelley introduced and welcomed five members of the Shanghai City Delegation as follows:

Guan Liang Li, Vice Director, Shanghai Municipal Government Office;
Tian Fang Zie, Vice Director, Municipal Research Office of Shanghai People's Government;
Wen Long Xu;
Ms. He Ping Jian;
Guo Qiang Zheng.

As part of our Sister City exchange, the delegation will meet with the Chief Administrative Officer, City Attorney and Department of Social Services during its brief stay in San Francisco.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Lease of Property]
Ordinance authorizing second amendment to lease of Water Department land in San Francisco and San Mateo Counties with The Olympic Club (17.35 acres) (Supervisor Alioto)

File 65-93-5, Ordinance No. 230-93

Finally passed.

[Cash Revolving Fund for Office of Citizen Complaints]
Ordinance amending Administrative Code, establishing a cash revolving fund for the Office of Citizen Complaints in the amount of $600. (Police Commission)

File 97-93-35, Ordinance No. 232-93

(Adds Section 10.169-10.)

Finally passed.

[Use of Parking Meter Funds]
Ordinance amending Traffic Code, to credit $8,000,000 of parking meter collections to the General Fund in fiscal year 1993-94. (Department of Parking and Traffic)

File 124-93-4, Ordinance No. 235-93

(Amends Section 213.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport Lease Modification]
Ordinance approving modification to the lease for International Terminal Duty Paid Principal Concession Lease between DFS-West, a Division of DFS Group L.P. and City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-93-12, Ordinance No. 228-93

Finally passed.

[Reciprocal Benefits]
Ordinance amending Administrative Code, regarding internal reciprocity of pension benefits within the Retirement System. (Supervisors Conroy, Alioto)

File 97-93-10, Ordinance No. 231-93

(Adds Section 16.55-7.)

Finally passed.

[Lien Proceeding Administration Costs]
Ordinance amending Fire Code, to authorize the Fire Department to collect delinquent fees through the perfection of a lien. (Fire Commission)

File 117-93-1, Ordinance No. 234-93

(Adds Section 4.209.)

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Width of Sidewalk]
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding Section 1511 changing the official widths of sidewalk on the northeast corner of Brannan and Eighth Streets; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-93-4, Ordinance No. 229-93

Finally passed.

[Rent Ordinance]
Ordinance amending Administrative Code, to exempt from Chapter 37 dwelling units solely owned by a non-profit public benefit corporation in which a majority of its governing body are residents of the dwelling units and whose bylaws require rent increases be approved by a majority of residents of the dwelling units. (Supervisor Bierman)

File 109-93-3, Ordinance No. 233-93

(Amends Section 37.2(p)(2).)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Adopted as Amended

[Annual Budget]
Annual Budget for the City and County of San Francisco for fiscal year 1993-94.

File 100-93-1

Supervisor Migden, seconded by Supervisor Hsieh, moved to amend the budget to reflect that $29,000 be designated for the Commission on Aging from the unappropriated reserve to continue the senior escort contract with the present provider.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

Supervisor Migden, seconded by Supervisor Hsieh, moved to amend the budget to reflect the Budget Committee's recommendations dated July 16, 1993 (copy of which is contained in the office of the Clerk of the Board).

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Kennedy - 1.

Adopted

[Government Funding]
Motion authorizing the Controller to adjust interdepartmental appropriations, make necessary transfers to correct objects of expenditure classifications and to correct clerical or computational errors as may be ascertained by the Controller to exist in the 1993-94 annual budget as adopted by the Board of Supervisors and directing the Clerk of the Board to notify the Controller.

File 101-93-2.1

Supervisor Migden presented for immediate adoption.

Supervisor Migden, seconded by Supervisor Hsieh, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Passed for Second Reading as Amended

[Annual Appropriation Ordinance 1993-94]
Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1994. (Mayor)

File 101-93-2, Ordinance No.

Supervisor Maher, seconded by Supervisor Hsieh, moved to amend the Annual Appropriation Ordinance to conform with the Annual Budget as amended.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

[Annual Salary Ordinance, 1993-94]
Ordinance enumerating positions in the annual budget and appropriation ordinance for the fiscal year ending June 30, 1994, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or state law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations thereof. (Civil Service Commission)

File 102-93-2, Ordinance No.

Supervisor Kaufman, seconded by Supervisor Hsieh, moved to amend the Annual Salary Ordinance to conform with the Annual Budget as amended.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Finally Passed

[Bond Election]
Ordinance calling and providing for a Special Election to be held in the City and County of San Francisco on Tuesday, November 2, 1993, for the purpose of submitting to the voters of the City and County of San Francisco propositions to incur the following bonded debts of the City and County for the acquisition, construction or reconstruction by the City and County of San Francisco of the

following municipal improvements, to wit; ninety-eight million, forty-five thousand dollars ($98,045,000) for the acquisition, construction or reconstruction of cultural facilities, including construction and reconstruction of certain improvements to the Main Library for purpose of relocating the Asian Art Museum to such location, the acquisition, construction and reconstruction of certain improvements to the Steinhart Aquarium, the construction and reconstruction of certain improvements to five community cultural facilities (Mission Cultural Center, Bayview Opera House, Centers for African and African-American Art and Culture-Western Addition, South of Market Cultural Center and the Art Commission Gallery), the construction and reconstruction of certain improvements to the Palace of Fine Arts (Exploratorium), and acquisition and capital improvements for Gay/Lesbian Cultural Center; and sixty-eight million dollars ($68,000,000) for the acquisition, construction or reconstruction of certain improvements to streets, sidewalks, street lighting and utilities, including street and sidewalk improvements, traffic safety improvements, street lighting improvements, and improvements for the undergrounding of certain utilities; and that the estimated cost of said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such municipal improvements; fixing the date of election and the manner of holding such election and the procedure for voting for or against the propositions; fixing the maximum rate of interest on said bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the Special Election with the General Election; and providing that the election precincts, voting places and officers for election shall be the same as for such General Election. (Chief Administrative Officer)

File 60-93-4, Ordinance No. 227-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Budget Committee

Adopted as Amended

[Municipal Railway Fare Increases]
Resolution approving a revised fare schedule for the San Francisco Municipal Railway. (Public Utilities Commission)

File 7-93-9.1, Resolution No. 555-93

(July 12, 1993 - Rereferred to Committee with direction to report back on July 19, 1993.)

Supervisor Shelley, seconded by Supervisor Bierman, moved to amend page one, line 26, by adding: "8) One-day pass (not good on cable cars) 2.25*" effective October 1, 1993.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 8.

Noes: Supervisors Alioto, Hallinan - 2.

Absent: Supervisor Kennedy - 1.

Adopted

[Cable Car Fares]
Resolution approving a revised cable car fare schedule for the San Francisco Municipal Railway. (Public Utilities Commission)

File 7-93-9.2, Resolution No. 556-93

(July 12, 1993 - Rereferred to Committee with direction to report back on July 19, 1993.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Kennedy - 2.

See Journal of Proceedings for June 21, 1993 for resolution of findings concerning Municipal Railway fares.

Recommendations of Government Efficiency and Labor Committee

Adopted

[Grant - Federal through the State Funds]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for a grant up to the amount of $29,468,393 which excludes indirect costs, from the United States Department of Health and Human Services, Center for Substance Abuse Treatment through the State of California,

Department of Alcohol and Drug Programs for enhancement and augmentation of substance abuse treatment services for persons who are identified as "Critical Populations"; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-93-27, Resolution No. 560-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

[Grant - Federal through the State Funds]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for a grant up to the amount of $13,122,590 which excludes indirect costs, from the United States Department of Health and Human Services, Center for Substance Abuse Treatment through the State of California, Department of Alcohol and Drug Programs, for residential substance abuse treatment services for women and their children; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 146-93-29, Resolution No. 561-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

From Rules Committee Without Recommendation

Ordered Submitted as Amended

[Ballot Measure]
((Charter amendment (First Draft) amending Sections 3.100-2, 3.661, 3.681, 3.682, 8.420, 8.429 and 8.515 and adding Sections 3.662 and 3.663 to create a Department of Human Resources encompassing the Employee Relations Division, Health Services System, Workers Compensational policy functions of the Civil Service Commission, to convert the Civil Service Commission into an appellate body, to make

the Human Resources Director appointed by the Mayor and confirmed by the Board of Supervisors and to make the Director of Employee Relations appointed by the Human Resources Director.)) (Supervisor Kaufman)

Charter amendment (Fifth Draft) amending Sections 3.100-2, 3.103, 3.661, 3.681, 3.682, 8.420 and adding Sections 3.662 and 3.663 relating to the creation of and authority of a Human Resources Department and creation of and authority of a Human Resources Director.

File 248-93-1

Supervisor Kaufman, seconded by Supervisor Leal, moved an amendment of the whole entitled "Charter amendment (Second Draft) amending Sections 3.100-2, 3.103, 3.661, 3.681, 3.682, 8.420 and adding Sections 3.662 and 3.663 relating to the creation of and authority of a Human Resources Department and creation of and authority of a Human Resources Director."

Amendment of the whole adopted by the following vote.

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

Supervisor Kaufman, seconded by Supervisor Leal, moved to amend page 10, line 25, by deleting "Notwithstanding any other provision of this charter,".

Motion to amend adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Shelley - 8.

Absent: Supervisors Alioto, Kennedy, Migden - 3.

Supervisor Hsieh, seconded by Supervisor Leal, moved to amend page 10, line 19, by replacing "1995" with "1994".

Motion to amend adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisor Alioto, Kennedy - 2.

Supervisor Kaufman, seconded by Supervisor Leal, moved to amend page 12, line 11, after "provided that," by inserting "notwithstanding charter section 8.107,"; amend page 12, line 25 by replacing "January 8" with "July 1"; amend page 14, lines eight and nine, by deleting "including but not limited to the appropriate disciplinary procedures,".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisor Conroy, Kennedy - 2.

Ordered submitted as amended (Fifth Draft) by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

The President reassumed the Chair.

Recommendations of Rules Committee

Consideration Continued As Amended

[Ballot Measure]
((Charter amendment (Third Draft) repealing Sections 3.590 through 3.599, establishing and governing the Public Utilities Commission; renumber Section 3.700 as Section 3.503 and Section 3.701 as Section 3.504, regarding the general powers and duties of officers; adding new Sections 3.700 through 3.706, establishing and governing a water and power commission; adding new Sections 3.590 through 3.596, establishing a commission and department of public transportation and governing the same; and, amending Sections 3.401, 3.521, 3.538. 6.200, 6.205, 6.401, 6.407, 6.407-1, 6.407-2, 7.312, 7.313, 7.402, 8.107 and 8.346 to conform to these changes.)) (Supervisor Migden)

Charter amendment (Sixth Draft) amending Sections 3.591, 3.592, 3.595, 3.596 and 3.598, establishing and governing the Public Utilities Commission; renumbering Section 3.700 as Section 3.503 and Section 3.701 as Section 3.504, regarding the general powers and duties of officers; adding new Sections 3.700 through 3.707, establishing a commission and department of public transportation and governing the same; amending Sections 3.401, 3.521, 3.538, 6.205 and 8.346, to conform to these changes; and, amending Sections 6.407, 6.407-1 and 6.407-2, relating to utility funds.

File 250-93-1

Supervisor Migden, seconded by Supervisor Conroy, moved an amendment of the whole entitled "Charter amendment (Sixth Draft) amending Sections 3.591, 3.592, 3.595, 3.596 and 3.598, establishing and governing the Public Utilities Commission; renumbering Section 3.700 as Section 3.503 and Section 3.701 as Section 3.504, regarding the general powers and duties of officers; adding new Sections 3.700 through 3.707, establishing a commission and department of public transportation and governing the same; amending Sections 3.401, 3.521, 3.538, 6.205 and 8.346, to conform to these changes; and,

amending Sections 6.407, 6.407-1 and 6.407-2, relating to utility funds."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Maher, Migden - 8.

Absent: Supervisors Hsieh, Kennedy, Shelley - 3.

Supervisor Migden, seconded by Supervisor Kaufman, moved to continue consideration, as amended, to July 26, 1993.

Motion to continue as amended adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Maher, Migden - 8.

Absent: Supervisors Hsieh, Kennedy, Shelley - 3.

Tabled

[Ballot Measure]
Charter amendment (Third Draft) adding Section 8.517-3 providing for early service retirement for miscellaneous employees. (Supervisors Conroy, Alioto)

File 263-93-1

Supervisor Conroy, seconded by Supervisor Migden, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Maher, Migden - 8.

Absent: Supervisors Hsieh, Kennedy, Shelley - 3.

Rereferred to Committee

(Supervisor Conroy dissenting in Committee.)

[Ballot Measure]
Charter amendment (First Draft) amending Sections 8.590-1 through 8.590-7 relating to the bargaining of compensation and working conditions of District Attorney Investigators. (Supervisor Alioto)

File 265-93-1

Supervisor Alioto, seconded by Supervisor Conroy, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Maher, Migden - 8.

Absent: Supervisors Hsieh, Kennedy, Shelley - 3.

Ordered Submitted as Amended

[Ballot Measure]
Charter amendment (((Third)) Fourth Draft) adding Section 8.517-4 providing for early service retirement for police officers and firefighters. (Supervisors Conroy, Alioto)

File 269-93-1

Supervisor Conroy, seconded by Supervisor Hsieh, moved an amendment of the whole (Fourth Draft) bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden - 9.

Absent: Supervisors Kennedy, Shelley - 2.

Ordered submitted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

[Ballot Measure]
((Charter amendment (Second Draft) adding Section 8.500-2 providing for the modification of retirement benefits by ordinance.)) (Supervisor Maher)

Charter amendment (Third Draft) adding Section 8.500-2 and amending Sections 8.559-14 and 8.585-14 providing for the modification of retirement benefits for police officers and fire fighters by ordinance.

File 289-93-1

Supervisor Maher, seconded by Supervisor Hsieh, moved an amendment of the whole entitled "Charter amendment (Third Draft) adding Section 8.500-2 and amending Sections 8.559-14 and 8.585-14 providing for the modification of retirement benefits for police officers and fire fighters by ordinance."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy.

Ordered submitted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Called from Budget Committee
by Supervisor Hallinan

Consideration Continued

[Water Department]
Resolution urging the Mayor to urge the Public Utilities Commission to eliminate all of the temporary positions added to the Water Department for the drought. (Supervisor Hallinan)

File 188-93-2, Resolution No.

Supervisor Hallinan, seconded by Supervisor Kaufman, moved to continue consideration to December 13, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Surplus Property Sale]
Ordinance authorizing and directing the sale of surplus city-owned property, under the jurisdiction of the Department of Public Works, known as Assessor's Block 1260, Lot 22; Assessor's Block 2713, Lot 10; and Assessor's Block 5067, Lot 3 and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Migden)

File 96-93-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

[Sanctuary Ordinance Amendment]
Ordinance amending Administrative Code, which prohibits use of City and County resources to assist in enforcement of federal immigration laws, to permit identifying and reporting in certain circumstances persons who are in custody after being booked for the alleged commission of a felony. (Mayor)

File 97-93-39, Ordinance No.

(Amends Section 12H.2-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Conroy, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 7.

Noes: Supervisors Alioto, Bierman, Hallinan - 3.

Absent: Supervisor Kennedy - 1.

Request Granted

Supervisor Hallinan, seconded by Supervisor Leal, moved that the City Attorney be requested to bring lawsuit on behalf of the City and County against the Office of Criminal Justice Planning to challenge their right to cause amendments to the sanctuary ordinance because the City is not in compliance with the "California Plan To Report Alien Convictions to INS".

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Claims Against the Government]
Resolution waiving the Statute of Limitations with respect to payment of one certain warrant of the City and County of San Francisco, in the amount of $1,864.80 payable to Stanley Roberson, a legal obligation of the City and County of San Francisco. (Controller)

File 23-93-1, Resolution No. 573-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Property Acquisition]
Resolution approving and authorizing the execution of an agreement of purchase and sale for real estate (including certain liquidated damages), authorizing execution of documents reasonably necessary for the purchase of the property, and adopting findings pursuant to City Planning Code Section 101.1, all in connection with the acquisition of Ocean Beach Parcel 4. (Supervisor Shelley)

File 84-93-2, Resolution No. 559-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as Amended

[Redevelopment Agency Budget and Bonds]
Resolution approving the Budget of the Redevelopment Agency of the City and County for Fiscal Year 1993-94 as amended 6/30/93 and 7/14/93; approving and authorizing an amendment to the indebtedness limitation agreement between Redevelopment Agency and the City and County of San Francisco; and approving the issuance by the agency of bonds in an aggregate principal amount not to exceed $30,000,000 for the purpose of financing redevelopment activities in fiscal year 1993-94. (Redevelopment Agency)

File 161-93-5.1, Resolution No. 567-93

Supervisor Migden, seconded by Supervisor Hsieh, moved to amend title, line three and page two, line 25, after "1994" by adding "as amended 6/30/93 and 7/14/93.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Ballot Measure]
Resolution submitting to the qualified electors of the City and County a proposition authorizing the lease financing of city-wide radio communication systems and related equipments for various city departments including the Police, Fire, Sheriff, Parking and Traffic and Public Health Departments. (Supervisors Migden, Alioto)

File 282-93-1, Resolution No. 557-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Health, Public Safety and Environment Committee

Passed for Second Reading as Amended

[Knife Sales to Minors]
Ordinance amending Police Code, to prohibit the sale or transfer of all types of knives to minors, other than by parents or guardians, except for table knives and knives currently prohibited from sale under state law; and establishing penalties for violation of this section. (Supervisors Kaufman, Bierman, Alioto, Leal, Shelley)

File 121-93-5, Ordinance No.

(Adds Section 1293.)

Supervisor Kaufman, seconded by Supervisor Leal, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Passed for Second Reading

[Mechanical Amusement Devices]
Ordinance amending Police Code, which prohibits mechanical amusement

devices in buildings in certain locations, to permit mechanical amusement devices in buildings with mixed residential and commercial use by a permit issued by the Police Department. (Supervisor Hallinan)

File 121-93-9, Ordinance No.

(Amends Section 1036.31.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[911 Response Times]
Resolution urging the Mayor to urge the Police Commission to establish response time goals of 3 seconds for responding to calls on the 911 emergency line and to establish goals for dispatching police to emergencies and to report to the Board of Supervisors quarterly on these goals. (Supervisors Shelley, Alioto, Bierman)

File 207-93-13.1, Resolution No. 558-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Alioto, Bierman requested to be added as co-sponsors.

[911 Training]
Resolution urging the Mayor to urge the Police Commission to develop a comprehensive training program for dispatchers in order to improve morale in the dispatch unit and increase the efficiency of the unit and to report back quarterly to the Board of Supervisors on progress towards developing a training program. (Supervisors Shelley, Alioto, Bierman)

File 207-93-13.2, Resolution No. 568-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Alioto, Bierman requested to be added as co-sponsors.

[911 Capital Program]
Resolution urging the Mayor to urge the Police Commission to develop a long term capital improvement program for the 911 communications system including adequate funding for the program. (Supervisors Shelley, Alioto, Bierman)

File 207-93-13.3, Resolution No. 569-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider Ordinance amending Part III, Municipal Code, to extend the 6.5 percent tax rate through August 31, 1993 and to increase the commercial utility users tax rate to seven percent, effective ((September))July 1, 1993, and to delete the sunset provision of this section, which extended the telephone users tax to interstate and international telephone communication services for the period from August, 1992 to June, 1993. (Supervisor Migden)

File 127-93-5

The privilege of the floor was granted to the following person:

Dehnert Queen.

Recommendation of Budget Committee

Passed for Second Reading

(Supervisor Hsieh dissenting in Committee.)

[Utility Users Tax Amendments]
Ordinance amending Part III, Municipal Code, to extend the 6.5 percent tax rate through August 31, 1993 and to increase the commercial utility users tax rate to seven percent, effective July 1, 1993, and to delete the sunset provision of this section, which extended the telephone users tax to interstate and international telephone communication services for the period from August, 1992 to June, 1993. (Supervisors Migden, Alioto)

File 127-93-5, Ordinance No.

(Amends Section 707.2 and 707.3.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

COMMITTEE REPORTS

Recommendations of Budget Committee

Consideration Continued

[Senior Programs]
Resolution urging the Mayor to urge the Commission on Aging to use current Commission employees to administer the Senior Escort Program and the Senior Information and Referral Programs. (Budget Committee)

File 100-93-10.1 Resolution No.

Supervisor Migden, seconded by Supervisor Hsieh, moved to continue consideration to July 26, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[State Sales Tax - Public Safety Services]
Resolution requesting an allocation of revenue from the State Local Public Safety Fund, ratifying the statewide imposition of an additional one-half percent rate of sales and use tax pursuant to Senate Constitutional Amendment One on the November 2, 1993 Special Election ballot and requesting the establishment of a Public Safety Augmentation Fund. (Supervisors Migden, Alioto)

File 12-93-22, Resolution No. 562-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Consideration Continued to Public Hearing

[Ballot Measure]
Ordinance levying a one-half of one percent transactions and use tax, said levy being conditioned on the failure of Senate Constitutional Amendment Number One imposing a statewide one-half of one percent sales and use tax to be submitted to the State electorate at the State special election to be held on November 2, 1993. (Supervisors Migden, Alioto)

File 296-93-1, Ordinance No.

Supervisor Migden, seconded by Supervisor Hsieh, moved to continue consideration to public hearings on August 16 and September 13, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Adopted as Amended

[Ballot Measure]
Motion ordering submission of ordinance levying transactions and use tax to the qualified electors of the City and County of San Francisco at the General Election to be held on November 2, 1993. (Supervisors Migden, Alioto)

File 60-93-7

Supervisor Migden, seconded by Supervisor Hsieh, moved to amend line 8, by deleting "approved by" and inserting "pending before".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Recommendation of Rules Committee

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Ordered Submitted

[Ballot Measure]
Charter amendment (First Draft) amending Section 8.409-2 to permit recognized employee organizations representing the classifications electing to remain within the coverage of charter sections 8.401 and 8.407, who have not previously elected to receive additional training or furlough days and a dental plan, to do so in exchange for acceptance of a wage freeze for 1993-94. (Supervisor Hallinan)

File 294-93-1

Suspension of the Rules

Supervisor Conroy, seconded by Supervisor Bierman, moved that the time limits prescribed in Rule 5.5 of the Rules of Order of the Board of Supervisors be suspended to permit consideration of the Charter amendment today.

Motion to suspend the Rules adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Ordered submitted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Kennedy, Maher - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Susan B. Lamar;
Shelley Salieri;
David Pilpel;
Rodney Telmadge.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

Called from Rules Committee by Supervisor Migden

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Rereferred to Committee

[Ballot Measure]
Charter amendment (Draft) amending Section 2.101 to allow the Board of Supervisors to combine or to transfer and redistribute among departments or offices any function or duty assigned to any department by charter or by ordinance. (Mayor)

File 247-93-1

(NOTE: This legislation has not been approved as to form by the City Attorney.)

Supervisor Conroy, seconded by Supervisor Shelley, moved to rerefer to Rules Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Kennedy, Maher - 3.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commendation]
Resolution commending Diane Flannery for five years of distinguished service as Executive Director of the Larkin Street Youth Center. (Supervisors Shelley, Migden)

File 6-93-17, Resolution No. 566-93

(July 12, 1993 - Introduced in Board for consideration on July 19, 1993.)

Adopted.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

[Needle Exchange]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto)

File 30-93-5.9

(July 12, 1993 - Introduced in Board for consideration on July 19, 1993.)

Adopted.

[Residential Condominium Project]
Motion approving final map of 1527-1531 Pacific Avenue, being a resubdivision of Lot 32, in Assessor's Block 596; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-17

(July 12, 1993 - Introduced in Board for consideration on July 19, 1993.)

Adopted.

[Live/Work Condominium Project]
Motion approving final map of 1489 Folsom Street, being a resubdivision of Lots 30 and 30A in Assessor's Block 3520; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-18

(July 12, 1993 - Introduced in Board for consideration on July 19, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley - 7.

Absent: Supervisors Conroy, Hsieh, Kennedy, Maher - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-29, Resolution No. 563-93

(Sue Bierman, member, Board of Supervisors, August 13 - 21; Carole Migden, member, Board of Supervisors, July 22 - 25, July 30 - August 8, August 20 - September 1, October 8 - 10; Sonia S. Bolanos, member, Redevelopment Agency, July 12 - 16; Cleo Donovan, member, Civil Service Commission, July 2 - 6; Leroy King, member, Redevelopment Agency, July 8 - 16; L. Andrew Jeanpierre, member, Airports Commission, July 22 - August 2; James K. Ho, member, Airports Commission, July 8 - 17 and August 3 - 17; John Newlin, Executive Director, August 9 - 29; Paul Rosenstiel, member, Health Commission, July 12 - 15; Doris M. Ward, Assessor, July 13 - 16, 1993.)

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Findings, Fare Schedule]
Resolution making a finding concerning proposed revisions of the Municipal Railway Fare Schedule.

File 7-93-9.3, Resolution No. 554-93

Supervisor Migden presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of portion of Filbert Street, between Stockton and Powell Streets, for one day, as needed, between Tuesday, July 20, 1993, and Tuesday, July 27, 1993, from 7:00 a.m. to 9:00 p.m., for filming.

File 42-93-33, Resolution No. 564-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Federal Funds]
Resolution urging the Mayor to apply for and pursue community policing and refugee assistance funds from the Federal government; urging the Mayor to advise the Board of Supervisors how his office plans to apply for and pursue these funds.

File 68-93-7, Resolution No. 656-93

Supervisor Conroy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden, Shelley - 7.

Absent: Supervisors Conroy, Hsieh, Kennedy, Maher - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Towing Charges for Stolen Vehicles]
Ordinance amending Administrative Code by amending Section 10C.1 and repealing Section 10C.8-1 to terminate the practice of reimbursing vehicle owners for the costs imposed for towing or storage of stolen vehicles. (Supervisor Kaufman presented.) Referred to Budget Committee with request it be considered as soon as possible.

File 97-93-42

[Building Code]
Ordinance amending Building Code by amending Section 203(c) to provide that the notice of hearing to be posted shall include the list of building code violations and that it shall make reference to the penalties for violation prescribed in Section 205 of the Building Code. (Supervisor Bierman presented.) Referred to Housing and Land Use Committee.

File 114-93-5.1

Referred to Board

[Youth Carrier Employment Program]
Resolution opposing "pink slips" for Youth Newspaper Carriers in San Francisco. (Supervisors Alioto, Hallinan presented.) Referred to Board July 26, 1993 For Adoption Without Committee Reference Calendar.

File 176-93-4

Referred to Committee

[Eugene Lumpkin]
Resolution calling on Eugene Lumpkin to resign as a member of the Human Rights Commission and further calling on Mayor Frank Jordan to remove Eugene Lumpkin from the Human Rights Commission if he fails to resign and to restore public confidence in the role and mission of the commission especially with regards to lesbian and gay San Franciscans. (Supervisor Hallinan presented.) Referred to Economic Vitality and Social Policy Committee.

File 217-93-4

Requests for Hearings:

File 27-93-13, By Supervisor Hallinan: To consider the anticipated revenue to the City and County from the proposed contract for door-to-door van service with San Francisco International Airport and whether it needs approval by the Board of Supervisors. Referred to Government Efficiency and Labor Committee.

File 176-93-5, By Supervisor Hallinan: To consider the current dispute between the Emporium and its employees represented by United Food Commercial Workers Union Local 101 and its potential impact on San Francisco and its economy. Referred to Government Efficiency and Labor Committee.

File 207-93-14, By Supervisor Shelley: To consider police response to 101 California Street and the emergency response system. Referred to Health, Public Safety and Environment Committee.

File 222-93-3, By Supervisor Kennedy: To consider the classification, re-assignment, pay increases and bumping system used for employees of the Department of Social Services with nine-plus years of employment with the Department. Referred to Government Efficiency and Labor Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 97-93-40. [General Assistance Sanctions, Collection of Overpayment] Amending Administrative Code by amending Sections 20.58.1, 20.59.10 and 20.59.16, relating to sanctions and the collection of overpayments. (Department of Social Services) Economic Vitality and Social Policy

File 106-93-8. [Compensation] Implementing the compensation provisions of the agreement between the International Federation of Professional and Technical Engineers, Local 21 and the City and County of San Francisco pursuant to Charter Section 8.409-1 et. seq. effective July 1, 1993. (Office of Mayor's Employee Relations Division) Government Efficiency and Labor

File 166-93-3. [Settlement of Lawsuit] Authorizing settlement of litigation against Dr. R, a general partnership doing business as the Grosvenor House by authorizing the Tax Collector Attorney to file stipulation for entry of judgment upon default and releasing the partnership and its general partners from all tax liability as set out in the within settlement agreement. (Tax Collector) Government Efficiency and Labor

File 190-93-8. [Union Square Tour Bus Permit] Approving Union Square Tour Bus permit bidding documents and authorizing Director of Property to request bids for permit using those documents. (Real Estate Department) Government Efficiency and Labor

Resolutions Referred to Committee

File 10-93-2. [Permit] Granting revocable permission to Candlestick R.V. Park, Inc., to extend the Candlestick Recreational Vehicle Park and to install gates in an unimproved portion of Fitzgerald Avenue between Earl and Donahue Streets, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Housing and Land Use

File 23-93-2. [Claims Against the Government] Waiving the Statute of Limitations with respect to payment of one certain warrant of the City and County of San Francisco, in the amount of $902.94 payable to Stephen Goldston, a legal obligation of the City and County of San Francisco. (Controller) Budget

File 47-93-4. [Parking Rate Change] Approving changes in parking rates at the Japan Center garage. (Department of Parking and Traffic)

File 47-93-5. [Special Validation Rate] Establishing a special validation rate for American Multi-Cinema, Inc. (AMC) at the Japan Center and Fillmore Annex garages. (Department of Parking and Traffic) Government Efficiency and Labor

File 64-93-16. [Extension of Existing Real Property Lease] Authorizing a new lease of real property at 680 Eighth Street, Suite 228, for the offices of the Child Health Initiative for Immigrant/Refugee Newcomers Project for the Department of Public Health. (Real Estate Department) Government Efficiency and Labor

File 64-93-17. [Lease and Joint Use Agreement] Authorizing a lease and joint agreement of real property at 1380 Howard Street, portion of ground floor, warehouse and loading dock, for the Department of Public Health. (Real Estate Department) Government Efficiency and Labor

File 82-93-3. [Property Acquisition - Noise Easement] Authorizing the acquisition of eighteen additional noise easements in the City of South San Francisco in their Phase VII Program - $250,000. (Real Estate Department) Budget

File 89-93-7. [State Disability Insurance] Authorizing enrollment of Classification 6141 Manager, Health and Safety in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division) Government Efficiency and Labor

File 130-93-1. [Anti-Drug Abuse Funds] Authorizing the Chief Adult Probation Officer of the City and County of San Francisco to apply for, accept and expend funds in the amount of $179,797 which includes indirect costs in the amount of $8,990, based on five percent of the total project, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Adult Probation's Drug Abatement Project". (Adult Probation Department) Government Efficiency and Labor

File 130-93-2. [Grant - State Funds] Authorizing the Chief Adult Probation Officer of the City and County of San Francisco to apply for, accept and expend funds in the amount of $99,706.50 made available through the Office of Criminal Justice Planning for a project entitled "Gang Caseload Component of the Intensive Services Unit". (Adult Probation Department) Government Efficiency and Labor

File 138-93-3. [Grant - State Funds] Authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount of $315,707 made available

through the Office of Criminal Justice Planning for a project entitled "San Francisco Attorney's Drug Abatement Project" for the twelve month period July 1, 1993 through June 30, 1994. (District Attorney) Government Efficiency and Labor

File 138-93-4. [Grant - State Funds] Authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend grant funds in the amount of $100,000 made available through the California Office of Criminal Justice Planning for a project entitled "Gang Violence Suppression Program" for the twelve month period July 1, 1993 through June 30, 1994. (District Attorney) Government Efficiency and Labor

File 138-93-5. [Grant - State Funds] Authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount of $285,000 made available through the Office of the State Board of Control, Victims of Crime Program, an agent of the State of California for a project entitled "Joint Powers Agreement with Victim Witness Assistance Center", for Fiscal Year 1993-94. (District Attorney) Government Efficiency and Labor

File 143-93-1. [Office of Criminal Justice Planning Funding] Authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of $148,000, which includes indirect costs of $9,250 baseo on five percent of the total grant award, for continuation funding for a project entitled "Crime Prevention Expansion Project, Mission Corridor"; and agreeing to provide a twenty percent cash match in the amount of $37,000 dollars. (Police Commission) Government Efficiency and Labor

File 143-93-2. [Office of Criminal Justice Planning Funding] Authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of $200,000, which includes indirect costs of $10,000 based on five percent of the total grant award, for funding from the U.S. Department of Justice for a project entitled "Community Oriented Policing Program". (Police Commission) Government Efficiency and Labor

File 143-93-3. [Office of Criminal Justice Planning Funding] Authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of $100,000, which includes indirect costs of $5,500 based on five percent of the total grant award, for new funding for a project entitled "Suppression of Drug Abuse in the Schools Program"; and agreeing to provide a ten percent cash match in the amount of $10,000 dollars. (Police Commission) Government Efficiency and Labor

File 143-93-4. [Office of Criminal Justice Planning Funding] Authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of $131,663, which includes indirect costs of $6,583 based on five percent of the total grant award, for new funding for a project entitled "Anti-Drug Abuse Enforcement Program". (Police Commission) Government Efficiency and Labor

File 143-93-5. [Office of Criminal Justice Planning Funding] Authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of $100,000, which includes indirect costs of $5,000 based on five percent of the total grant award, for new funding for a project entitled "California Gang Violence Suppression Program". (Police Commission) Government Efficiency and Labor

File 152-93-3. [Anti-Drug Abuse Funds] Authorizing the Sheriff of the City and County of San Francisco to apply for, accept and expend funds in the amount of $80,696 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Sheriff's Drug Abatement Project". (Sheriff) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Shelley and Kennedy, that City Attorney prepare ordinance banning residential picketing of private residences.

By Supervisor Alioto, that City Attorney prepare ordinance to ban smoking of tobacco products in all San Francisco workplaces, including Candlestick Park, but excluding bars and bingo centers.

By Supervisor Hallinan, that letter be sent to Assembly Speaker Willie Brown transmitting copy of Resolution 741-92 which urged the State Legislature to enact a state medical marijuana law and urging him to introduce Senator Mello's marijuana resolution SJR No. 8 in the State Assembly for legislative action.

By Supervisor Kaufman, that letter of inquiry be sent to Chief Administrative Officer requesting status of six month report on the functions and successes of the new County Veterans Service Officer pursuant to Administrative Code Section 5.108.A-2(d).

By Supervisor Conroy, that letter of inquiry be sent to Chief of Police to determine what additional steps can be taken to prevent crime in the Marina District.

By Supervisor Conroy, that letter of inquiry be sent to Director, Department of Parking and Traffic, concerning the possibility of placing a stop light at the intersection of Geary Boulevard and Third Avenue due to the frequency of accidents occurring at t at site.

By Supervisor Conroy, that letter of inquiry be sent to Director, Department of Parking and Traffic, concerning feasibility of increasing the number of parking spaces for motorcycles in the Richmond District by concerning zones which are currently red zones into spaces for motorcycles at the intersection of Tenth Avenue and Arguello and on Geary Boulevard, between Third Avenue and Clement Street.

By Supervisor Conroy, that letter of inquiry be sent to Director, Department of Parking and Traffic, to ascertain whether one of the following empty lots could be used as a parking lot: Stanyan and Geary Boulevard; Third Avenue and Geary Boulevard; Twelve Avenue and Geary Boulevard.

By Supervisor Conroy, that letters of inquiry be sent to the Mayor; Director, Department of Parking and Traffic; and General Manager, Municipal Railway to determine the feasibility of using articulated buses on Chestnut Street.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

William Stroud (Supervisors Kennedy, Shelley)

File 2-93-29

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 7:22 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on 12/20/93

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Vol. 88 No. 30

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Monday, July 26, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 26, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley - 7.

Noted absent at first roll call:

Supervisors Conroy, Hallinan, Leal, Maher - 4.

Quorum present.

Supervisor Conroy was noted present at 2:20 p.m.

Supervisor Hallinan was noted present at 2:17 p.m.

Supervisor Leal was noted present at 2:17 p.m.

Supervisor Maher excused, on official leave of absence.

Presentation of Guest

Supervisor Alioto introduced and welcomed her mother, Angelina Alioto to the Chambers.

CONSENT CALENDAR

Recommendation of Budget Committee

Finally Passed

[Surplus Property Sale]
Ordinance authorizing and directing the sale of surplus city-owned property, under the jurisdiction of the Department of Public Works, known as Assessor's Block 1260, Lot 22; Assessor's Block 2713, Lot 10; and Assessor's Block 5067, Lot 3 and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Migden)

File 96-93-2, Ordinance No. 237-93

Finally passed.

Recommendation of Health, Public Safety and Environment Committee

Finally Passed

[Mechanical Amusement Devices]
Ordinance amending Police Code, which prohibits mechanical amusement devices in buildings in certain locations, to permit mechanical amusement devices in buildings with mixed residential and commercial use by a permit issued by the Police Department. (Supervisor Hallinan)

File 121-93-9, Ordinance No. 240-93

(Amends Section 1036.31.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of The Home Insurance Company against the City and County of San Francisco by payment of $11,000. (City Attorney)

File 45-93-40, Ordinance No.

(Superior Court No. 938-285.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Deborah Lollie-Jackson against the City and County of San Francisco by payment of $17,500. (City Attorney)

File 45-93-43, Ordinance No.

(U.S.D. Court Action No. C85-4925JPV.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Robert Riggs against the City and County of San Francisco by payment of $16,000. (City Attorney)

File 45-93-46, Ordinance No.

(Superior Court No. 92-990; U.S. District Co. No. C92-2848-MPH.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Dawn Walker and Cynthia Cannonier against the City and County of San Francisco by payment of $35,000. (City Attorney)

File 45-93-49, Ordinance No.

(U.S.D.C. No. C91-1190 SAW.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Bay View Federal Savings and Loan Association in the sum of $300,714.85 (consisting of $185,995.09 in tax refunds and $114,719.76 in interest) to be paid in four equal annual installments with no interest on the deferred payments. (City Attorney)

File 45-93-50, Ordinance No.

(Superior Court No. 793-871.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of City and County of San Francisco v. David Menasco, Willie Menasco, et al., upon receipt of the sum of $7,400 and dismissal of complaint. (City Attorney)

File 46-93-10, Ordinance No.

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Clint Pierce v. Oakland Open Fence Company, et al., upon receipt of the sum of $4,800 and release of lien. (City Attorney)

File 46-93-11, Ordinance No.

(Superior Court No. 928-243.)

Passed for second reading.

Adopted

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Elena Michelli by payment of $10,000. (City Attorney)

File 48-93-13, Resolution No. 574-93

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Household Finance Corp., of California in the sum of $11,172.10 (including $9,962.81 in tax refunds and $1,209.29 in interest) to be paid in four equal annual installments with no interest on the deferred payments. (City Attorney)

File 48-93-15, Resolution No. 582-93

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of James J. Corrigan by payment of $20,000. (City Attorney)

File 48-93-18, Resolution No. 583-93

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

[Annual Appropriation Ordinance 1993-94]
Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1994. (Mayor)

File 101-93-2, Ordinance No. 241-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Maher - 1.

[Annual Salary Ordinance, 1993-94]
Ordinance enumerating positions in the annual budget and appropriation ordinance for the fiscal year ending June 30, 1994, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or state law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations thereof. (Civil Service Commission)

File 102-93-2, Ordinance No. 242-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Maher - 1.

Finally Passed

[Sanctuary Ordinance Amendment]
Ordinance amending Administrative Code, which prohibits use of City and County resources to assist in enforcement of federal immigration laws, to permit identifying and reporting in certain circumstances persons who are in custody after being booked for the alleged commission of a felony. (Mayor)

File 97-93-39, Ordinance No. 238-93

(Amends Section 12H.2-1.)

Suspension of the Rules

Supervisor Leal, seconded by Supervisor Kennedy, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to various persons.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

The privilege of the floor was granted to the following persons:

Roberto Arturo;
Rebecca Shyra;
John Doe;
Reyne;
Victor Marquis;
Richard Batchis;
John Doe.

The roll was then called on the pending ordinance and it was finally passed by the following vote:

Ayes: Supervisors Conroy, Hsieh, Kaufman, Kennedy, Migden, Shelley - 6.

Noes: Supervisors Alioto, Bierman, Hallinan, Leal - 4.

Absent: Supervisor Maher - 1.

Tabled

(Supervisor Hsieh dissenting in Committee.)

[Utility Users Tax Amendments]
Ordinance amending Part III, Municipal Code, to extend the 6.5 percent tax rate through August 31, 1993 and to increase the

commercial utility users tax rate to seven percent, effective July 1, 1993, and to delete the sunset provision of this section, which extended the telephone users tax to interstate and international telephone communication services for the period from August, 1992 to June, 1993. (Supervisor Migden)

File 127-93-5, Ordinance No.

(Amends Section 707.2 and 707.3.)

Supervisor Migden, seconded by Supervisor Hsieh, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Adopted

[Commission on the Aging]
Resolution urging the Mayor to urge the Commission on Aging to use current Commission employees to administer the Senior Escort Program and the Senior Information and Referral Program. (Budget Committee)

File 100-93-10.1, Resolution No. 593-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Recommendation of Health, Public Safety and Environment Committee

Finally Passed

[Knife Sales to Minors]
Ordinance amending Police Code, to prohibit the sale or transfer of all types of knives to minors, other than by parents or guardians, except for table knives and knives currently prohibited from sale under State law; and establishing penalties for violation of this section. (Supervisors Kaufman, Bierman, Alioto, Leal, Shelley)

File 121-93-5, Ordinance No. 239-93

(Adds Section 1293.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Recommendation of Rules Committee

Ordered Submitted as Amended

[Ballot Measure]
Charter amendment (((Sixth)) Seventh Draft) amending Sections 3.591, 3.592, 3.595, 3.596 and 3.598, establishing and governing the Public Utilities Commission; renumber Section 3.700 as Section 3.503 and Section 3.701 as Section 3.504, regarding the general powers and duties of officers; adding new Sections 3.700 through 3.707, establishing a commission and department of public transportation and governing the same; amending Sections 3.401, 3.521, 3.538, 6.200, 6.205, 6.401, 6.407, 6.407-1, 6.407-2, 7.312, 7.313, 7.402, 8.107 and 8.346 to conform to these changes and amending Sections 6.407, 6.407-1 and 6.407-2 relating to utility funds. (Supervisor Migden)

File 250-93-1

Supervisor Kaufman, seconded by Supervisor Leal, moved to amend Section 3.700, page 11, by adding "Thereafter, the Department of Transportation shall be comprised of a bureau of public transit and a bureau of parking and traffic."; amend Section 3.701, page 12, by adding "Effective upon the abolishment of the parking and traffic commission pursuant to Section 3.700 hereof, two additional members shall be appointed by the mayor to the public transportation commission for a term of four years, provided that the respective terms of office of those first appointed shall be one for two years and one for four years."; amend Section 3.702, page 12, by adding "Effective with the merger of the functions of parking and traffic pursuant to Section 3.700 hereof, the director of public transportation shall be the chief executive and the appointing officer of the bureau of public transit and the director of parking and traffic shall be the chief executive and appointing officer of the bureau of parking and traffic."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Ordered submitted as amended (Seventh Draft) by the following vote:

Ayes: Supervisors Bierman, Hallinan, Kaufman, Leal, Migden, Shelley - 6.

Noes: Supervisors Alioto, Conroy, Hsieh, Kennedy - 4.

Absent: Supervisor Maher - 1.

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading

[Transient Occupancy Tax]
Ordinance amending the Municipal Code, Part III, to fund the Fine Arts Museums of San Francisco and the Asian Art Museum of San Francisco, to reduce the percentage of the transient occupancy tax allocated to administration thereof and to limit certain fiscal year 1993-94 allocations to the amounts allocated in fiscal year 1992-93. (Supervisor Migden)

(Amends Section 515)

File 127-93-10.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

NEW BUSINESS

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Tour Bus Restriction]
Ordinance amending Police Code, regarding tour bus restrictions on Larkin, Leavenworth, Jones and Taylor Streets. (Housing and Land Use Committee)

File 121-93-10, Ordinance No.

(Adds Sections 1183.22 through 1183.25.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Commercial Vehicle Weight Limit]
Ordinance amending Traffic Code by listing streets with prohibition of commercial vehicles. (Housing and Land Use Committee)

File 124-93-5, Ordinance No.

(Adds Sections 28.5.37 through 28.5.44.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Adopted

[Running Red Light - Increasing Bail]
Resolution urging the Mayor to request the City's Lobbyist in Sacramento to urge State Legislators to pass State Legislation to increase the total bail amount in the Uniform Traffic Infraction Bail and Penalty Schedule from $103 to $350 for violations of Section 21453(a) of the California Vehicle Code which requires vehicular traffic to stop at limit lines when traffic control signals are red. (Housing and Land Use Committee)

File 12-93-19.1, Resolution No. 579-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Maher - 1.

[Parking Regulations]
Resolution extending parking regulations on various streets. (Housing and Land Use Committee)

File 19-93-6.2, Resolution No. 580-93

Parking Meter Area 3 (1-hour parking time limit, Monday through Saturday, 9:00 a.m. to 6:00 p.m.) - Extend
Green Street, both sides, between Front and Battery Streets.
Union Street, both sides, between Sansome and Battery Streets.
Union Street, south side, between Battery and Front Streets.
Battery Street, east side, between Union Street and Broadway.
Battery Street, west side, between Green Street and Broadway.
Front Street, both sides, between Vallejo Street and Broadway.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Lease of Property]
Ordinance authorizing and approving lease of City-owned property in Building 800 at 1701 Jerrold Avenue, portion of top floor, roof and smoke stack to Bay Area Cellular Telephone Company. (Real Estate Department)

File 65-93-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Real Estate Department]
Ordinance amending the Administrative Code, relating to year-to-year and shorter lease and other agreements and the authority of the Director of Property to include hold harmless provisions in such leases and other agreements. (Real Estate Department)

File 97-93-38, Ordinance No.

(Amends Section 23.19.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Compensation - Firefighters]
Ordinance implementing the compensation provisions of the agreement between the San Francisco Firefighters Union Local 798 and the City and County of San Francisco pursuant to Charter Section 8.590-1 et. seq., effective July 1, 1993. (Employee Relations Division)

File 105-93-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Compensation - Police Officers Association]
Ordinance implementing the compensation provisions of the agreements between the Police Officers Association, Local 911 and the City and County of San Francisco pursuant to Charter Section 8.590-1 et. seq., effective July 1, 1993. (Employee Relations Division)

File 105-93-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Benefits for Unrepresented Employees]
Ordinance approving the Mayor's proposal to continue unchanged the compensation of unrepresented employees pursuant to Charter Section 8.409-1. (Employee Relations Division)

File 106-93-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Passed for Second Reading as Amended

[Pay Equity Legally Mandated Adjustments]
Ordinance providing for pay equity adjustments to the schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Unified School District and the San Francisco Community College District effective July 1, 1993, as provided for in Charter Section 8.407-1 and contractually mandated by Memoranda of Understanding. (Employee Relations Division)

File 106-93-6, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Passed for Second Reading

[IBEW Local 6]
Ordinance implementing the terms of settlement of litigation in the matter entitled SCHACH v. BRITT, et al. set forth in the Memorandum of Understanding between the City and County of San Francisco and IBEW Local 6. This ordinance amends rates of shift premium pay. (City Attorney)

File 106-93-7, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Quitclaim Deed]
Ordinance authorizing and directing execution of quitclaim deed by City and County of San Francisco to San Francisco Unified School District, a political subdivision of the State of California, for High School of Commerce and Industry site; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 203-93-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Adopted

[Acceptance of Gift]
Resolution accepting one gift valued at $26,625, from Northern California Grant Maker's, for use by the Recreation and Park Department for summer programs. (Recreation and Park Department)

File 38-93-7, Resolution No. 581-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Extension of Existing Real Property Lease]
Resolution authorizing extension of an existing sublease of 3000 Third Street for the Municipal Railway. (Real Estate Department)

File 64-93-10, Resolution No. 584-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Real Property Lease Amendment]
Resolution authorizing execution of a lease amendment of an existing lease of real property at 44 Gough Street for the Civil Service Commission. (Real Estate Department)

File 64-93-12, Resolution No. 585-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Lease of Real Property]
Resolution authorizing a lease of real property at 1307 Evans Avenue for the Department of Public Health (Family Mosaic Program). (Supervisor Migden)

File 64-93-15, Resolution No. 586-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Grant Application]
Resolution authorizing, retroactively, the San Francisco Public Library to apply for $88,090 in grant funds from the California State Library Services and Construction Act (LSCA) to establish a San Francisco African American History Network in collaboration with the San Francisco African American Historical and Cultural Society Research Library and Archives (SFAAHCSRL&A) for the fiscal year 1993-94; indirect costs are included in this budget. (Public Library)

File 147-93-7, Resolution No. 587-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[General Hospital Contract Modification]
Resolution finding that the State requires the City to conduct a series of load and material tests in order to have the utilities for the new mental health skilled nursing facility connected; authorizing the Director of Public Works to proceed in the most expeditious manner and to enter into a modification agreement with engineering consultants, Forell/Elsesser, and sub-consultants, Schwein/Christensen, to conduct a series of load and material tests at the San Francisco General Hospital as part of the service building seismic structural upgrade contract; further authorizing the Director of Public Works may hold consultants and sub-consultants harmless from any claims of damage; excepting only therefrom those claims or losses resulting from the negligence or willful misconduct of Forell/Elsesser or Schwein/Christensen in the load and material testing. (Department of Public Works)

File 172-93-23, Resolution No. 588-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Cooperative Agreement]
Resolution authorizing the Director of Public Works of the City and County of San Francisco to enter into a cooperative agreement on behalf of the City and County with the State of California through its Department of Transportation pursuant to Streets and Highway Code Section 73, providing for relinquishment to the City and County of portions of State right-of-way in the vicinity of Route 280 between Plymouth Avenue and Justin Drive and providing that the

State pay to the City the estimated cost of placing the relinquished parcels in a state of good repair. (Department of Public Works)

File 172-93-24, Resolution No. 589-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Grant-Federal Funds-Indemnification of the State]
Resolution authorizing the City Librarian to execute an agreement with the California State Library whereby the City would indemnify the State from claims and losses accruing or resulting from the performance of the LSCA Title II Grant Contract, and from claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by the City in the performance of the LSCA Title II Grant Contract. (Public Library)

File 172-93-25, Resolution No. 590-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Indemnification Agreement]
Resolution authorizing an indemnity provision in the agreement between the City and County of San Francisco and the City of South San Francisco (Oyster Point Boulevard Interchange and Grade Separation Project). (Public Utilities Commission)

File 172-93-26, Resolution No. 591-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Grand Jury Recommendations]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1992-93 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to San Francisco Unified School District Surplus Properties. (Government Efficiency and Labor Committee)

File 39-93-1.4

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

From Government Efficiency and Labor Committee
Without Recommendation

Passed for Second Reading

(Supervisor Hallinan dissenting in Committee.)

[1993-94 Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1993 for classifications 3417 Gardener and 6331 Building Inspector. (Civil Service Commission)

File 106-93-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Shelley - 6.

Noes: Supervisors Conroy, Kennedy, Leal, Migden - 4.

Absent: Supervisor Maher - 1.

Consideration Continued

(Supervisor Hallinan dissenting in Committee)

[Salary Standardization - Union of American Physicians and Dentists]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Section 8.409 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1993 to make contractually and legally mandated changes thereto required by the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists. (Civil Services Commission)

File 106-93-4, Ordinance No.

Supervisor Conroy, seconded by Supervisor Hallinan, moved to continue consideration to August 2, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of persons interested in or objecting to adopting and imposing schedules of sewer service charges.

File 21-93-1

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Nathan Bradler.

From Chief Administrative Officer

Adopted

[Sewer Service Charge]
Resolution adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1993-1994 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code; providing for a severability clause. (Chief Administrative Officer)

File 21-93-1, Resolution No. 572-93

(Exempt from environmental reviews)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
((Hearing to consider ordinance amending Part III, Municipal Code, to extend the 6.5 percent tax rate through August 31, 1993 and to

increase the commercial utilities users tax rate to 7.5 percent, effective September 1, 1993, and to delete the sunset provision of this section, which extended the telephone users tax to interstate and international telephone communication services for the period from August, 1992 to June 1993.))

Hearing to consider ordinance amending Part III, Municipal Code, by amending Section 707.2 to extend the 6.5 percent tax rate through September 30, 1993 and to increase the tax rate to 7.5 percent, effective October 1, 1993, and amending Section 707.3 to delete the sunset provision of this section, which extended the telephone users tax to interstate and international telephone communication services for the period from August, 1992 to June, 1993.

File 127-93-5.1

(First hearing was held on June 14, 1993.)

Supervisor Midgen presented an amendment of the whole (see infra).

The President inquired if there was anyone present desiring to speak.

The privilege of the floor was granted to the following person:

Dehnert Queen;
Martin.

Recommendation of Budget Committee

Passed for Second Reading as Amended

(Supervisor Hsieh dissenting in Committee.)

[Utility User Tax Amendments]
((Ordinance amending Part III, Municipal Code, to extend the 6.5 percent tax rate through August 31, 1993 and to increase the commercial utilities users tax rate to 7.5 percent, effective September 1, 1993, and to delete the sunset provision of this section, which extended the telephone users tax to interstate and international telephone communication services for the period from August, 1992 to June 1993.)) (Supervisor Migden)

Ordinance amending Part III, Municipal Code, by amending Section 707.2 to extend the 6.5 percent tax rate through September 30, 1993 and to increase the tax rate to 7.5 percent, effective October 1, 1993, and amending Section 707.3 to delete the sunset provision of this section, which extended the telephone users tax to interstate and international telephone communication services for the period from August, 1992 to June, 1993.

File 127-93-5.1, Ordinance No.

(Amends Sections 707.2 and 707.3.)

Supervisor Migden, seconded by Supervisor Hsieh, moved an amendment of the whole entitled, "Ordinance amending Part III, Municipal Code, by amending Section 707.2 to extend the 6.5 percent tax rate through September 30, 1993 and to increase the tax rate to 7.5 percent, effective October 1, 1993, and amending Section 707.3 to delete the sunset provision of this section, which extended the telephone users tax to interstate and international telephone communication services for the period from August, 1992 to June, 1993."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider Ordinance amending Part III, Municipal Code, to establish a new business classification for passenger vehicle rental businesses and to increase the tax rate from .3 percent to 7.0 percent for this classification as of ((September)) October 1, 1993.

File 127-93-7

(First hearing was held on June 21, 1993.)

Supervisor Conroy moved to amend the ordinance to change the September date to October (see infra).

The President inquired if there was anyone present desiring to speak.

The privilege of the floor was granted to the following persons:

George Patterson;
Paul Chiton, Hearst Corporation;
Wayne, Bay Area Rental;
Anthony Chapman, Avis;
Bryce Thompson, Avis;
Ken Patrell, Avis;
Mike Apptele, Budget Rent A Car;
Elaine, National Auto;
Ron Rail, San Francisco Rent A Car;

Bryan Sellie;
Louise Vaughn;
Dehnert Queen;
John Doe, Bay Area Rental;
Shelley Salieri;
Susan;
Orson Wells;
Nathan.

Recommendation of Budget Committee

Passed for Second Reading as Amended

[Business Tax Charges]
Ordinance amending Part III, Municipal Code, to establish a new business classification for passenger vehicle rental businesses and to increase the tax rate from .3 percent to 7.0 percent for this classification as of ((September)) October 1, 1993. (Supervisor Migden)

File 127-93-7, Ordinance No.

(Amends Section 1004.17;
Adds Section 1004.18.)

Supervisor Conroy, seconded by Supervisor Hsieh, moved to amend by changing "September" to "October" wherever it appears.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider ordinance amending the Municipal Code, Part III, to increase transient occupancy tax surcharge from 1.75 percent to 2.75 percent effective August 15, 1993 and to require monthly prepayments of transient occupancy taxes effective October 1, 1993.

File 127-93-10

(First hearing was held on June 21, 1993.)

The President inquired if there was anyone present desiring to speak.

The privilege of the floor was granted to the following persons:

Mr. Begley;
Representative, St. Francis Hotel;
Allen;
Holger Gantz, SF Hilton;
Don, Sheraton Palace Hotel;
Katlene, Four Seasons Cliff Hotel;
Rich, Stanford Court;
Dennis Sansom, Cathedral Hill Hotel;
John;
Mark, Ritz Carlton;
John, Holiday Inn, Chinatown;
Dehnert Queen;
Louise Vaughn;
Jim Patrick, Patrick and Company;
Rodney;
Representative, Cartwright Hotel.

Recommendation of Budget Committee

Passed for Second Reading

[Transient Occupancy Tax]
Ordinance amending the Municipal Code, Part III, to increase transient occupancy tax surcharge from 1.75 percent to 2.75 percent effective August 15, 1993 and to require monthly prepayments of transient occupancy taxes effective October 1, 1993. (Supervisor Migden)

File 127-93-10, Ordinance No.

(Amends Sections 502.5, 508, 509, 510.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider ordinance amending the Municipal Code, Part III,

to increase the transient occupancy tax surcharge from 1.75 percent to 3.75 percent effective August 15, 1993 and to require monthly prepayments of transient occupancy taxes effective October 1, 1993.

File 127-93-11

(First hearing was held on June 21, 1993.)

The President inquired if there was anyone present desiring to speak.

The privilege of the floor was granted to the following persons:

Mr. Begley;
Representative, St. Francis Hotel;
Allen;
Holger Gantz, SF Hilton;
Don, Sheraton Palace Hotel;
Katlene, Four Seasons Cliff Hotel;
Rich, Stanford Court;
Dennis Sansom, Cathedral Hill Hotel;
John;
Mark, Ritz Carlton;
John, Holiday Inn, Chinatown;
Dehnert Queen;
Louise Vaughn;
Jim Patrick, Patrick and Company;
Rodney;
Representative, Cartwright Hotel.

Recommendation of Budget Committee

Consideration Continued; Rescinded; Tabled

[Transient Occupancy Tax]
Ordinance amending the Municipal Code, Part III, to increase the transient occupancy tax surcharge from 1.75 percent to 3.75 percent effective August 15, 1993 and to require monthly prepayments of transient occupancy taxes effective October 1, 1993. (Supervisor Migden)

File 127-93-11, Ordinance No.

(Amends Sections 502.5, 508, 509, 510.)

Supervisor Migden, seconded by Supervisor Bierman, moved to continue consideration to September 7, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Migden, Shelley - 7.

Noes: Supervisors Kaufman, Kennedy, Leal - 3.

Absent: Supervisor Maher - 1.

Supervisor Hsieh, seconded by Supervisor Conroy, moved to rescind the previous vote.

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

The roll was then called on the motion to continue consideration to September 7, 1993 and it was refused adoption by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Migden, Shelley - 5.

Noes: Supervisors Conroy, Hsieh, Kaufman, Kennedy, Leal - 5.

Absent: Supervisor Maher - 1.

Supervisor Migden moved to rerefer to committee.

Supervisor Conroy, seconded by Supervisor Hsieh, moved substitute motion to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Leal - 6.

Noes: Supervisors Bierman, Hallinan, Migden, Shelley - 4.

Absent: Supervisor Maher - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider ordinance amending Municipal Code, Part III, to apply the tax to cellular telephone users effective September 1, 1993, to increase the interest rate assessed against delinquent accounts and making technical amendments to clarify liability for taxes imposed by this article.

File 127-93-12

(First hearing was held on June 21, 1993.)

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the public hearing closed.

Recommendation of Budget Committee

Passed for Second Reading

(Supervisor Hsieh dissenting in Committee.)

[Utility Users Tax, Cellular Telephone Users)
Ordinance amending Municipal Code, Part III, to apply the tax to cellular telephone users effective September 1, 1993, to increase the interest rate assessed against delinquent accounts and making technical amendments to clarify liability for taxes imposed by this article. (Supervisor Migden)

File 127-93-12, Ordinance No.

(Amends Sections 701, 703, 708, 710.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]
((Hearing to consider ordinance providing for graduated payroll expense tax rates and lower the qualifying maximum for the small business exemption to the payroll expense tax, and to provide for graduated business registration fees and to reduce the qualifying maximum for the small business exemption to the business tax.))

Hearing to consider ordinance amending Part III, Municipal Code, by amending Sections 905-A and 1005.3 to lower the qualifying maximum for the small business exemption to the payroll expense tax and the business tax, adding Sections 905-B and 1005.3-1 to limit tax liability for smaller businesses to one-half of the 1993 tax year, amending Sections 903.1 and 907 to provide for graduated payroll expense tax rates and to require quarterly prepayment for large businesses and amending Sections 1007, 1007.2 and 1009 to provide graduated business registration fees and to require quarterly prepayments for large businesses.

File 127-93-13

(First hearing was held on June 21, 1993.)

Supervisor Migden presented an amendment of the whole (see infra).

The President inquired if there was anyone present desiring to speak.

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Shelley Salieri;
Mark Morris;
David Nian;
Al Nubia;
Peter Cornell;
Ann Walsh;
Lorraine More;
Glenda Campbell;
Patricia Vaughey;
Sue;
Kim Cane;
Lynn Bulem;
Arleta;
Steve Leone;
Scott Howkie;
Harold Hoogasian;
John Doe;
Charles Gratan;
Ray Sarcon.

Recommendation of Budget Committee

Passed for Second Reading as Amended

(Supervisor Hsieh dissenting in Committee.)

[Business/Payroll Tax Registration and Exemption]
((Ordinance providing for graduated payroll expense tax rates and lower the qualifying maximum for the small business exemption to the payroll expense tax, and to provide for graduated business registration fees and to reduce the qualifying maximum for the small business exemption to the business tax.)) (Supervisor Migden)

Ordinance amending Part III, Municipal Code, by amending Sections 905-A and 1005.3 to lower the qualifying maximum for the small business exemption to the payroll expense tax and the business tax, adding Sections 905-B and 1005.3-1 to limit tax liability for smaller businesses to one-half of the 1993 tax year, amending Sections 903.1 and 907 to provide for graduated payroll expense tax rates and to require quarterly prepayment for large businesses and amending Sections 1007, 1007.2 and 1009 to provide graduated business registration fees and to require quarterly prepayments for large businesses.

File 127-93-13, Ordinance No.

(Amends Sections 903.1, 905-A, 905-B, 907, 1005.3-1, 1005.3, 1007 and 1007.2, 1009.)

Supervisor Migden, seconded by Supervisor Kaufman, moved an amendment of the whole entitled, "Ordinance amending Part III, Municipal Code, by amending Sections 905-A and 1005.3 to lower the qualifying maximum for the small business exemption to the payroll expense tax and the business tax, adding Sections 905-B and 1005.3-1 to limit tax liability for smaller businesses to one-half of the 1993 tax year, amending Sections 903.1 and 907 to provide for graduated payroll expense tax rates and to require quarterly prepayment for large businesses and amending Sections 1007, 1007.2 and 1009 to provide graduated business registration fees and to require quarterly prepayments for large businesses."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Migden, Shelley - 7.

Noes: Supervisors Hallinan, Kennedy, Leal - 3.

Absent: Supervisor Maher - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Shelley Salieri;
Rose Humor;
Adele;
John Doe.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of

suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Youth Carrier Employment Program]
Resolution opposing "pink slips" for Youth Newspaper Carriers in San Francisco. (Supervisors Alioto, Hallinan, Bierman, Kennedy, Migden)

File 176-93-4, Resolution No. 592-93

(July 19, 1993 - Introduced in Board for consideration on July 26, 1993.)

Adopted.

In connection with the above item, Supervisors Bierman, Kennedy, Migden requested to be added as co-sponsors.

[Condominium Project]
Motion approving final map of 385 10th Street, a condominium project, being a resubdivision of Lot 19 in Assessor's Block 3519, and adopting findings pursuant to City Planning code Section 101.1. (Department of Public Works)

File 58-93-19

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-30, Resolution No. 570-93

(Frank M. Jordan, Mayor, July 22 - August 2; Terence Hallinan, member, Board of Supervisors, August 7 - 12; Tom Hsieh, member, Board of Supervisors, July 31 - August 15; Lucille Abrahamson, member, Human Rights Commission, July 17 - 23; Marie K. Brooks, member, Airports Commission, July 20 - August 15; Jeff Brown, Public Defender, August 5 - August 30; Rebecca Castaneda, member, Health Commission, September 23 - October 1; Preston Cook, member, Port July 30 - August 7; Sharon Gadberry, member, Human Rights Commission, July 14 - July 18, and July 22 - August 3; Mrs. Walter A. Haas, Jr., member, War Memorial Board of Trustees, July 10 - August 25; Constance Hiatt, member, Retirement System, August 9 - 11; Norman Nickens, Executive Assistant, Retirement System, August 9 - 11; Alonzo King, member, The Arts Commission, July 21 - August 4, and August 7 - 14; Linda Klee, Assistant District Attorney, August 2 - 6; Victor G. Makras, member, Public Utilities Commission, July 14 - 20; Joseph A. Medina, Chief, Fire Department, July 19; John E. Newlin, Executive Director, Dept. of Parking and Traffic, August 9 - 29; Robert Podesta, Assistant District Attorney, August 2 - 6; Louise H. Renne, City Attorney, July 14 - 18; Anthony D. Ribera, Chief, Police Department, August 8 - 13; Arlo Smith, District Attorney, August 2 - 6, 1993.)

Adopted.

[Annual Allowable Condominium Conversions]
Motion cancelling the scheduled August 23, 1993 public hearing to consider revenue that might be generated by increasing the number of allowable annual condominium conversions. (Supervisor Migden)

File 126-93-1.1.

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Proclamation]
Resolution proclaiming July 1993 Tuberculosis Awareness Month.

File 4-93-21, Resolution No. 571-93

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of GTE Mobilnet of California Limited Partnership for no money payment. (Supervisor Hallinan presented.) Referred to Government Efficiency and Labor Committee.

File 45-93-54

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Bay Area Cellular Telephone Company for no money payment. (Supervisor Hallinan presented.) Referred to Government Efficiency and Labor Committee.

File 45-93-55

[Filing and Findings Fees]
Ordinance amending Administrative Code by adding Section 2B.9 to require payment of a fee for filing an application for refund with the Assessment Appeals Board, increasing the fee for written findings of fact and conclusions, and increasing the compensation of members of the board. (Supervisor Kaufman presented.) Referred to Budget Committee.

File 97-93-44

[Rent Ordinance]
Ordinance amending Administrative Code by amending Sections 37.8 and 37.11A to limit the amount of rent overpayments hearing officers may refund to tenants due to null and void rent increases, to limit the amount tenants may recover in civil actions for rent overpayments resulting from null and void rent increases and the effective date from which such overpayments can be determined. (Supervisor Migden presented.) Referred to Housing and Land Use Committee.

File 109-93-6

[Regulating Outdoor Stands]
Ordinance amending Public Works Code by amending Sections 183-4 and 183-6 which govern the display of fruits, vegetables and nonfood merchandise on public sidewalks, to clarify that any person operating such a stand must obtain a permit, and that any person

violating Article 5.3 is subject to a penalty. (Supervisor Conroy presented.) Referred to Housing and Land Use Committee.

File 123-93-6

Called from Committee

[Payroll Expense and Business Tax Increases]
Ordinance amending Part III, Municipal Code, by amending Section 903.1 to create increased and graduated tax rates for businesses with total payroll expenses in excess of $500,000 and adding Section 1004.19 to impose an additional business tax on gross receipts exceeding specified amounts. Called from Budget Committee by Supervisor Hallinan; scheduled for consideration by the Board on August 2, 1993.

File 127-93-15

Referred to Committee

[Rental Vehicle User Tax]
Draft ordinance amending Part III, Municipal Code, by adding Article 19, Sections 1901 through 1920, to impose a rental vehicle user tax, operative October 1, 1993. (Supervisor Conroy presented.) Referred to Budget Committee.

File 127-93-19

Referred to Board

[Muni Fare Increases]
Resolution urging the Mayor to urge the Public Utilities Commission to continue to issue transfers until the systems for distributing daily and weekly passes and tokens are implemented and urging the Mayor to urge the PUC to offer less-costly alternatives to senior, youth and disabled persons who will be unfairly impacted by the proposed increases in basic fares and fast passes and by the elimination of transfers. (Supervisor Bierman presented.) Referred to Board August 2, 1993 For Adoption Without Committee Reference Calendar.

File 7-93-9.4

[Bay Delta Estuary]
Resolution supporting the comprehensive conservation and management plan for the San Francisco Bay-Delta Estuary. (Supervisor Shelley presented.) Referred to Board August 2, 1993 For Adoption Without Committee Reference Calendar.

File 12-93-8.1

[Lease of Real Property]
Resolution authorizing the lease of real property at 445 Grant Avenue for the Chinatown Branch Library. (Supervisor Hsieh presented.) Referred to Board August 2, 1993 For Adoption Without Committee Reference Calendar.

File 64-93-20

Referred to Committee

[Grant - Federal Funds]
Resolution authorizing the Mayor to apply for and accept a grant for lead-based paint hazard reduction program from the U.S. Department of Housing and Urban Development for a total amount not to exceed six million dollars ($6,000,000) for a program authorized under the Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1992, Public Law Number 102-139, $600,000 of indirect costs associated with the acceptance of these grant funds is included in the application budget. (Supervisor Shelley presented.) Referred to Government Efficiency and Labor Committee with request it be considered at the August 4, 1993 meeting.

File 68-93-8

[Narcotics Forfeiture Fund - Mission]
Resolution urging the Mayor to request the Police Commission to submit a supplemental appropriation ordinance making an appropriation from the Narcotics Forfeiture and Asset Seizure Fund for youth crime prevention in the Mission District. (Supervisors Kennedy, Leal, Shelley, Alioto presented.) Referred to Health, Public Safety and Environment Committee.

File 101-93-4

[Street Artists]
Resolution designating five former temporary selling spaces on Market Street, south side, Sutter and Sansome Streets, as permanent selling spaces for street artists certified by Art Commission; holding harmless from any litigation any building adjacent to said spaces. (Supervisors Hallinan, Alioto presented.) Referred to Government Efficiency and Labor Committee.

File 169-93-2

[African American Population]
Resolution urging the Mayor to join the Board of Supervisors in declaring the commitment of the City and County to the existence of a viable African American community in San Francisco; creating a task force on African American participation to recommend initiatives for implementing a strategic plan for the African

American community, including funding and implementation of strategies for the economic development district in the Western Addition, and requesting a report from the task force, within ninety days, on first implementation steps. (Supervisors Alioto, Kennedy presented.) Referred to Economic Vitality and Social Policy Committee with request it be considered at the August 10, 1993 meeting.

File 174-93-7

[Levon Hagop Nishkian]
Resolution memorializing his Honor, the Mayor, to urge the Port Commission and the Chief Administrative Officer, through the Department of Public Works, to officially designate the drawbridge spanning Islais Creek Channel as the "Levon Hagop Nishkian" bridge. (Supervisors Kaufman, Bierman presented.) Referred to Economic Vitality and Social Policy Committee.

File 215-93-2

Requests for Hearings

File 12-93-3.2, By Supervisor Shelley: To consider State Department of Health Services proposed maximum enrollment level under managed care prior to implementation of the two plan model. Referred to Health, Public Safety and Environment Committee.

File 60-93-4.1, By Supervisor Shelley: To consider ballot argument concerning the cultural facilities bond measure. Referred to Rules Committee.

File 60-93-4.2, By Supervisor Hsieh: To consider ballot argument concerning the street improvement bond measure. Referred to Rules Committee.

File 60-93-7.1, By Supervisor Migden: To consider ballot argument concerning ordinance extending the one half cent sales tax. Referred to Rules Committee.

File 60-93-9, By Supervisor Alioto: To consider ballot arguments concerning propositions for the November 1993 election. Referred to Rules Committee.

File 127-93-13.2, By Supervisor Conroy: To consider re-evaluation of proposed increases in registration fees for small businesses in San Francisco. Referred to Budget Committee.

File 180-93-2, By Supervisor Shelley: To consider ballot argument concerning charter amendment relating to Board of Supervisors holding special meetings outside city hall. Referred to Rules Committee.

File 190-93-10, By Supervisor Conroy: To consider the traffic problems caused by double parking, illegal parking in yellow zones, debris caused by outdoor food stands along Clement Street. Referred to Health, Public Safety and Environment Committee.

File 204-93-2, By Supervisor Shelley: To consider ballot argument concerning charter amendment relating to Board of Supervisors' committee meetings outside city hall. Referred to Rules Committee.

File 207-93-15, By Supervisor Conroy: To consider police response times to the various districts in San Francisco, particularly the Taraval and Richmond districts. Referred to Health, Public Safety and Environment Committee.

File 240-93-2, By Supervisor Hsieh: To consider ballot argument concerning charter amendment relating to Health Department lease financing. Referred to Rules Committee.

File 241-93-2, By Supervisor Hsieh: To consider ballot argument concerning charter amendment relating to deputy chiefs, fire department. Referred to Rules Committee.

File 245-93-2, By Supervisor Shelley: To consider ballot argument concerning charter amendment relating to retired employees representation on the Retirement Board. Referred to Rules Committee.

File 248-93-2, By Supervisor Kaufman: To consider ballot argument concerning charter amendment relating to creation of a Human Resources Department. Referred to Rules Committee.

File 250-93-2, By Supervisor Migden: To consider ballot argument concerning charter amendment relating to creation of a Department of Transportation. Referred to Rules Committee.

File 253-93-2, By Supervisor Conroy: To consider ballot argument concerning charter amendment relating to the Fine Arts Museums. Referred to Rules Committee.

File 255-93-2, By Supervisor Shelley: To consider ballot argument concerning charter amendment relating to creation of an Ethics Commission. Referred to Rules Committee.

File 257-93-2, By Supervisor Migden: To consider ballot argument concerning charter amendment relating to disbursements in advance of revenue. Referred to Rules Committee.

File 258-93-2, By Supervisor Migden: To consider ballot argument concerning charter amendment relating to purchases of materials, supplies and equipment. Referred to Rules Committee.

File 264-93-2, By Supervisor Maher: To consider ballot argument concerning charter amendment relating to pension benefits for surviving spouses. Referred to Rules Committee.

File 266-93-2, By Supervisor Bierman: To consider ballot argument concerning charter amendment relating to election cleanup. Referred to Rules Committee.

File 266-93-3, By Supervisor Bierman: To consider ballot argument concerning charter amendment relating to charter review. Referred to Rules Committee.

File 269-93-2, By Supervisor Conroy: To consider ballot argument concerning charter amendment relating to early retirement for police and firefighters. Referred to Rules Committee.

File 282-93-2, By Supervisor Migden: To consider ballot argument relating to radio communication systems. Referred to Rules Committee.

File 289-93-2, By Supervisor Maher: To consider ballot argument concerning charter amendment relating to public employees' retirement system and authority to modify retirement benefits by ordinance. Referred to Rules Committee.

File 294-93-2, By Supervisor Hallinan: To consider ballot argument concerning charter amendment relating to employee benefits in exchange for wage freeze for 1993-94. Referred to Rules Committee.

File 297-93-1, By Supervisors Alioto, Shelley: To consider the closure of the Transbay Terminal between the hours of 12:00 a.m. to 6:00 a.m. and the effects on the homeless population. Referred to Health, Public Safety and Environment Committee.

Referred to Board

File 30-93-5.10 [Needle Exchange] Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto presented.) Referred to Board August 2, 1993 For Adoption Without Committee Reference Calendar.

File 60-93-8 [Election] Motion consolidating the municipal election, special bond election and special statewide election to be held on November 2, 1993. (Supervisor Alioto presented.) Referred to Board August 2, 1993 For Adoption Without Committee Reference Calendar.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 35-93-2. [Street Acceptance] Accepting roadways, including curbs, of three dedicated public streets in the South Beach Marina Development Project Area. (Department of Public Works) Housing and Land Use

File 97-93-41. [Memberships - Library] Amending Administrative Code by adding Section 16.6-17.2 thereto, to authorize the San Francisco Public Library to join the Bay Area Library and Information Network ("Baynet"). (Public Library) Government Efficiency and Labor

File 97-93-43. [Equipment Inventories and Gifts of Equipment] Amending Administrative Code by amending Sections 21.29 through 21.33, and 10.116-2 thereof, relating to maintenance of equipment inventories and acceptance of gifts of equipment. (Purchasing Department) Government Efficiency and Labor

Resolutions Referred to Committee

File 10-93-3. [Permit] Granting revocable permission to Golden Gate University to install (2) 4-inch conduits under Jessie Street between Ecker and Anthony Streets for telecommunication purposes between 536 Mission Street (Block 3708, Lot 13) and 40 Jessie Street (Block 3708, Lot 23); and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Housing and Land Use

File 64-93-18. [License Agreement] Authorizing execution of a real property license agreement at Stonestown Galleria Space 3100 for temporary operation of a Police substation for the Police Department. (Real Estate Department) Government Efficiency and Labor

File 64-93-19. [Extension and Renewal of Existing Real Property Lease] Authorizing renewals and extensions of sixteen certain existing leases of real property required by the Department of Public Health. (Real Estate Department) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that petitions submitted by Coalition for Public Health Services opposing the cuts in the Public Health Department be transmitted to the Mayor.

By Supervisor Conroy, that Budget Analyst provide financial impact report on the vinyl wrapped bus and consult with the Controller regarding what funds will be certified as a result of the expansion of this program.

By Supervisor Conroy, that letter of inquiry be sent to the Public Utilities Commission requesting information on plans to purchase street lights from PG&E at a cost of $4.4 million.

By Supervisor Conroy, that City Attorney prepare ordinance which would allow pass through to tenants, by owners of residential real property, of a proportionate share of all increased levies on real property resulting from parcel taxes, bond issues and special assessments approved after the effective date of this ordinance.

By Supervisor Hallinan, that City Attorney provide opinion on whether Charter Section 8.300-1 (Prop J) applies to contracting out of employees at the Asian Art and Golden Gate Museums when they are specified in the charter as civil service employees.

By Supervisors Kennedy and Leal, that City Attorney prepare resolution which would urge the Mayor to request the Office of Children, Youth and their Families to develop procedures under Prop J (Children's Fund) for distributing special projects money as soon as possible.

By Supervisor Kennedy, that letter be sent to Senator Tom Harkin, Chairman of the Senate Appropriations Committee, regarding Job Corps 50-50 Plan funding to convey to him to "Adopt the President's Fiscal Year 1994 Job Corps 50-50 Plan Funding Request".

By Supervisor Kennedy, that letters be sent to each House member of Chairman Natcher's House Labor, HHS, and Education Appropriations Subcommittee for supporting a 7.6 percent increase in Job Corps even though they had $6 billion less to spend than what was needed to fund the President's initiatives.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Daniel Addario, Jr. (Supervisors Alioto, Hallinan)
Randy Carter (Supervisor Alioto)
Wallace Scott Myers (Supervisor Hallinan)
Larry Waites (Supervisor Migden)
Dolores Bradley (Supervisor Shelley)
Amelia Avery (Supervisor Bierman)
Herb Deifuss (Supervisor Kaufman)

File 2-93-30

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 8:49 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, July 26, 1993

Approved by the Board of Supervisors on December 20, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, August 2, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 2, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:16 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal - 6.

Noted absent at first roll call:

Supervisors Conroy, Hsieh, Maher, Migden, Shelley - 5.

Quorum present.

Supervisor Conroy was noted present at 2:18 p.m.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Maher was noted present at 2:19 p.m.

Supervisor Migden excused, on official leave of absence.

Supervisor Shelley was noted present at 2:19 p.m.

CONSENT CALENDAR

Recommendations of Budget Committee

Adopted

[Property Acquisition-Noise Easement]
Resolution authorizing the acquisition of a noise easement from the South San Francisco Unified School District. (Real Estate Department)

File 82-93-2, Resolution No. 600-93

Adopted.

[Property Acquisition-Noise Easements]
Resolution authorizing the acquisition of 18 additional noise easements in the City of South San Francisco in their Phase VII Program. (Real Estate Department)

File 82-93-3, Resolution No. 601-93

Adopted.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of The Home Insurance Company against the City and County of San Francisco by payment of $11,000. (City Attorney)

File 45-93-40, Ordinance No. 245-93

(Superior Court No. 938-285.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Deborah Lollie-Jackson against the City and County of San Francisco by payment of $17,500. (City Attorney)

File 45-93-43, Ordinance No. 246-93

(U.S.D. Court Action No. C85-4925JPV.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Robert Riggs against the City and County of San Francisco by payment of $16,000. (City Attorney)

File 45-93-46, Ordinance No. 247-93

(Superior Court No. 92-990; U.S. District Court. No. C92-2848-MPH.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Dawn Walker and Cynthia Cannonier against the City and County of San Francisco by payment of $35,000. (City Attorney)

File 45-93-49, Ordinance No. 248-93

(U.S.D.C. No. C91-1190 SAW.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Bay View Federal Savings and Loan Association in the sum of $300,714.85 (consisting of $185,995.09 in tax refunds and $114,719.76 in interest) to be paid in four equal annual installments with no interest on the deferred payments. (City Attorney)

File 45-93-50, Ordinance No. 249-93

(Superior Court No. 793-871.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of City and County of San Francisco v. David Menasco, Willie Menasco, et al., upon receipt of the sum of $7,400 and dismissal of complaint. (City Attorney)

File 46-93-10, Ordinance No. 250-93

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Clint Pierce v. Oakland Open Fence Company, et al., upon receipt of the sum of $4,800 and release of lien. (City Attorney)

File 46-93-11, Ordinance No. 251-93

(Superior Court No. 928-243.)

Finally passed.

[Lease of Property]
Ordinance authorizing and approving lease of City-owned property in Building 800 at 1701 Jerrold Avenue, portion of top floor, roof and smoke stack to Bay Area Cellular Telephone Company. (Real Estate Department)

File 65-93-6, Ordinance No. 252-93

Finally passed.

[Real Estate Department]
Ordinance amending the Administrative Code, relating to year-to-year and shorter lease and other agreements and the authority of the Director of Property to include hold harmless provisions in such leases and other agreements. (Real Estate Department)

File 97-93-38, Ordinance No. 253-93

(Amends Section 23.19.)

Finally passed.

[IBEW Local 6]
Ordinance implementing the terms of settlement of litigation in the matter entitled SCHACH v. BRITT, et al. set forth in the Memorandum of Understanding between the City and County of San Francisco and IBEW Local 6. This ordinance amends rates of shift premium pay. (City Attorney)

File 106-93-7, Ordinance No. 257-93

Finally passed.

[Transient Occupancy Tax]
Ordinance amending the Municipal Code, Part III, to fund the Fine Arts Museums of San Francisco and the Asian Art Museum of San Francisco, to reduce the percentage of the transient occupancy tax allocated to administration thereof and to limit certain fiscal year 1993-94 allocations to the amounts allocated in fiscal year 1992-93. (Supervisor Migden)

File 127-93-10.1, Ordinance No. 243-93

(Amends Section 515)

Finally passed.

[Quitclaim Deed]
Ordinance authorizing and directing execution of quitclaim deed by City and County of San Francisco to San Francisco Unified School District, a political subdivision of the State of California, for High School of Commerce and Industry site; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 203-93-1, Ordinance No. 263-93

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Tour Bus Restriction]
Ordinance amending Police Code, regarding tour bus restrictions on Larkin, Leavenworth, Jones and Taylor Streets. (Housing and Land Use Committee)

File 121-93-10, Ordinance No. 258-93

(Adds Sections 1183.22 through 1183.25.)

Finally passed.

[Commercial Vehicle Weight Limit]
Ordinance amending Traffic Code by listing streets with prohibition of commercial vehicles. (Housing and Land Use Committee)

File 124-93-5, Ordinance No. 259-93

(Add Sections 28.5.37 through 28.5.44.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

(Supervisor Hsieh dissenting in Committee.)

[Utility User Tax Amendments]
Ordinance amending Part III, Municipal Code, to extend the 6.5 percent tax rate through September 30, 1993 and to increase the commercial utilities users tax rate to 7.5 percent, effective October 1, 1993, and to delete the sunset provision of this section, which extended the telephone users tax to interstate and

international telephone communication services for the period from August, 1992 to June 1993. (Supervisor Migden)

File 127-93-5.1, Ordinance No. 260-93

(Amends Sections 707.2 and 707.3.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Shelley - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Hsieh, Migden - 2.

[Business Tax Charges]
Ordinance amending Part III, Municipal Code, to establish a new business classification for passenger vehicle rental businesses and to increase the tax rate from .3 percent to 7.0 percent for this classification as of October 1, 1993. (Supervisor Migden)

File 127-93-7, Ordinance No. 261-93

(Amends Section 1004.17; Adds Section 1004.18.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Shelley - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Hsieh, Migden - 2.

[Transient Occupancy Tax]
Ordinance amending the Municipal Code, Part III, to increase transient occupancy tax surcharge from 1.75 percent to 2.75 percent effective August 15, 1993 and to require monthly prepayments of transient occupancy taxes effective October 1, 1993. (Supervisor Migden)

File 127-93-10, Ordinance No. 244-93

(Amends Sections 502.5, 508, 509, 510.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

(Supervisor Hsieh dissenting in Committee.)

[Utility Users Tax, Cellular Telephone Users]
Ordinance amending Municipal Code, Part III, to apply the tax to cellular telephone users effective September 1, 1993, to increase the interest rate assessed against delinquent accounts and making technical amendments to clarify liability for taxes imposed by this article. (Supervisor Migden)

File 127-93-12, Ordinance No.

(Amends Sections 701, 703, 708, 710.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

Passed for Second Reading; Rescinded;

Consideration Continued

(Supervisor Hsieh dissenting in Committee.)

[Business/Payroll Tax Registration and Exemption]
Ordinance amending Municipal Code, Part III, to lower the qualifying maximum for the small business exemption to the Payroll Expense Tax and the Business Tax; to limit tax liability for smaller businesses to one-half of the 1993 tax year; to provide for graduated payroll expense tax rates and to require quarterly prepayment for large businesses and to provide graduated business registration fees and to require quarterly prepayments for large businesses. (Supervisor Migden)

File 127-93-13, Ordinance No.

(Amends Sections 903.1, 905-A, 905-B, 907, 1005.3, 1005.3-1, 1007, 1007.2 and 1009)

Passed for second reading by the following vote::

Ayes: Supervisors Alioto, Bierman, Conroy, Kaufman, Kennedy, Leal - 6.

Noes: Supervisors Hallinan, Maher, Shelley - 3.

Absent: Supervisors Hsieh, Migden - 2.

Supervisor Kennedy requested that the Journal of Proceedings reflect that her reason for voting "aye" on the above item is cast as a courtesy to her colleague, Supervisor Migden, who is unable to attend today's meeting. The "aye" vote does not reflect her true position on this ordinance which she continues to oppose.

Supervisor Leal requested that the Journal of Proceedings reflect that her reason for voting "aye" on the above item is cast as a courtesy in the best interest of balancing the budget. The "aye" vote does not reflect her true position on this ordinance which she continues to oppose.

Motion to Rescind

Supervisor Conroy, seconded by Supervisor Maher, moved to rescind the previous vote.

Motion to rescind adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

In response to Supervisor Bierman, Deputy City Attorney Ted Lakey stated that you can amend the ordinance to lower the tax rate, but if you increase the rate or bring in new people to pay the additional tax, you could not act on the legislation because it requires a 45 day notice.

Supervisor Conroy, seconded by Supervisor Maher, moved to continue consideration to August 16, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Maher - 5.

Noes: Supervisors Kaufman, Kennedy, Leal, Shelley - 4.

Absent: Supervisors Hsieh, Migden - 2.

From Government Efficiency and Labor Committee
Without Recommendation

Finally Passed

(See Journal of Proceedings of
August 16, 1993 for Disapproval by Mayor)

(Supervisor Hallinan dissenting in Committee)

[1993-94 Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the Charter

and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1993 for classifications 3417 Gardener and 6331 Building Inspector. (Civil Service Commission)

File 106-93-3, Ordinance No.

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Maher, Shelley - 8.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Hsieh, Migden - 2.

Tabled

[Salary Standardization - Union of American Physicians and Dentists] Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Section 8.409 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1993 to make contractually and legally mandated changes thereto required by the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists. (Civil Services Commission)

File 106-93-4, Ordinance No.

Supervisor Maher, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Compensation - Firefighters]
Ordinance implementing the compensation provisions of the agreement between the San Francisco Firefighters Union Local 798 and the City and County of San Francisco pursuant to Charter Section 8.590-1 et. seq., effective July 1, 1993. (Employee Relations Division)

File 105-93-4, Ordinance No. 254-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

[Compensation - Police Officers Association]
Ordinance implementing the compensation provisions of the agreements between the Police Officers Association, Local 911 and the City and County of San Francisco pursuant to Charter Section 8.590-1 et. seq., effective July 1, 1993. (Employee Relations Division)

File 105-93-5, Ordinance No. 255-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

[Benefits for Unrepresented Employees]
Ordinance approving the Mayor's proposal to continue unchanged the compensation of unrepresented employees pursuant to Charter Section 8.409-1. (Employee Relations Division)

File 106-93-5, Ordinance No. 256-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

[Pay Equity Legally Mandated Adjustments]
Ordinance providing for pay equity adjustments to the schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Unified School District and the San Francisco Community College District effective July 1, 1993, as provided for in Charter Section 8.407-1 and contractually mandated by Memoranda of Understanding. (Employee Relations Division)

File 106-93-6, Ordinance No. 264-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

NEW BUSINESS

Recommendations of Budget Committee

Adopted

[Parking Amnesty Program]
Resolution urging the Municipal Court to implement a thirty-day amnesty program for unpaid parking citations; and urging the Mayor to urge the Parking and Traffic Commission to direct the Department of Parking and Traffic to investigate transferring the collection of parking fines to a private firm specializing in providing such services. (Supervisor Kaufman)

File 190-93-7, Resolution No. 603-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

[Claim Against the Government]
Resolution waiving the Statute of Limitations with respect to payment of one certain warrant of the City and County of San Francisco, in the amount of $902.94 payable to Stephen Goldston, a legal obligation of the City and County of San Francisco. (Controller)

File 23-93-2, Resolution No. 597-93

(Pursuant to Charter Section 2.300, this measure requires nine votes for passage.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

[Garage Parking Rates]
Resolution approving changes in parking rates at the Japan Center Garage. (Department of Parking and Traffic)

File 47-93-4, Resolution No. 598-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

Recommendation of Budget and Rules Committees

Passed for Second Reading as Amended

[Public Meetings and Records]
Ordinance amending the Administrative Code, to provide greater public access to City records and to meetings of City boards, commissions and committees; relating to public meetings and establishing a Task Force on the implementation of the San Francisco Sunshine Ordinance. (Supervisors Shelley, Bierman, Hallinan, Alioto)

File 97-93-6, Ordinance No.

(Adds Chapter 66; Deletes Sections 16.5 and 16.5-1)

(July 6, 1993 - Transferred from Rules Committee to Budget Committee. Fiscal Impact.)

Supervisor Kaufman, seconded by Supervisor Shelley, moved to amend page 43, line 8, by replacing "7" with "nine"; amend page 43, line 21, after "government." by inserting "Two members shall be members of the public experienced in consumer advocacy."; amend page 43, line 22, after "designee," by inserting "and the Clerk of the Board of Supervisors and his or her designee,".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[Open Space - Brooks Park]
Resolution urging the Mayor to urge the Planning Commission and Recreation and Park Commission and urging the San Francisco Unified School District to approve having all Jose Ortega School surplus property acquired by the Open Space Acquisition Fund for purposes of adding to Brooks Park. (Supervisors Shelley, Alioto, Bierman)

File 168-93-2, Resolution No. 602-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

In connection with the above item, Supervisors Alioto, Bierman requested to be added as co-sponsors.

Called from Budget Committee
by Supervisor Hallinan

Public Hearing Scheduled;
Consideration Continued

[Payroll Expense and Business Tax Increases]
Ordinance amending Municipal Code, Part III, to create increased and graduated tax rates for businesses with total payroll expenses in excess of $500,000; to impose an additional business tax on gross receipts exceeding specified amounts. (Supervisor Hallinan)

File 127-93-15, Ordinance No.

(Pursuant to the Government Code, a forty-five day notice has been issued for a public hearing by the Board on August 23, 1993. An earlier public hearing must also be held if the Board plans to consider passage of this ordinance.)

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue consideration to a public hearing on August 16, 1993 at 3:00 p.m.

Motion to continue consideration adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Maher, Shelley - 6.

Noes: Supervisors Kaufman, Kennedy, Leal - 3.

Absent: Supervisors Hsieh, Migden - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Shelley Salieri;
Dehnert Queen;
Patricia Vaughey;

Alice Barns;
Margaret Verges;
Jane Doe;
R. J. Hampton;
Virginia Conway;
Ossie Mae Rogers.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Muni Fare Increases]
Resolution urging the Mayor to urge the Public Utilities Commission to continue to issue transfers until the systems for distributing daily and weekly passes and tokens are implemented and urging the Mayor to urge the Public Utilities Commission to offer less costly alternatives to senior, youth and disabled persons who will be unfairly impacted by the proposed increases in basic fares and fast passes and by the elimination of transfers. (Supervisors Bierman, Shelley)

File 7-93-9.4, Resolution No. 595-93

(July 26, 1993 - Introduced in Board for consideration on August 2, 1993.)

Adopted.

[Bay Delta Estuary]
Resolution supporting the comprehensive conservation and management plan for the San Francisco Bay-Delta Estuary. (Supervisor Shelley)

File 12-93-8.1, Resolution No. 596-93

(July 26, 1993 - Introduced in Board for consideration on August 2, 1993.)

Adopted.

[Lease of Real Property]
Resolution authorizing the lease of real property at 445 Grant Avenue for the Chinatown Branch Library. (Supervisor Hsieh)

File 64-93-20, Resolution No. 599-93

(July 26, 1993 - Introduced in Board for consideration on August 2, 1993.)

Adopted.

[Election]
Motion consolidating the municipal election, a special bond election and special statewide primary election to be held on November 2, 1993. (Supervisor Alioto)

File 60-93-8

(July 26, 1993 - Introduced in Board for consideration on August 2, 1993.)

Adopted.

[Needle Exchange]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto)

File 30-93-5.10

(July 26, 1993 - Introduced in Board for consideration on August 2, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher - 7.

Absent: Supervisors Conroy, Hsieh, Migden, Shelley - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-31, Resolution No. 575-93

(Bill Maher, member, Board of Supervisors, October 1 - 6; Tom Hsieh, member, Board of Supervisors, October 2 - 8; Willie B. Kennedy, member, Board of Supervisors, October 2 - 8; Marie K. Brooks, member, Airports Commission, July 20 - August 15; L. Andrew Jeanpierre, member, Airports Commission, July 22 - August 2; James K. Ho, member, Airports Commission, August 3 - 17; Dodie Rosekrans, member, Art Commission, August 4 - 11, and August 28 - September 6; Liza Zenni, member, Art Commission, August 20 - October 18 (for 8 weeks); Willis Kirk, member, Art Commission, July 1 - 12; John Kriken, member, Arts Commission, July 11 - 16; Genny Lim, member, Art Commission, July 16 - August 5; Joanne Chow Winship, Director of Cultural Affairs, Art Commission, July 24 - 26; John E. Newlin, Executive Director, Department of Parking and Traffic, September 8 and September 14; Leland Y. Yee, member, Board of Education, July 10 - 11; Jill Wynns, member, Board of Education, June 26 - July 12; H. Daniel McFarland, General Manager, Department of Electricity, August 30 - September 3; Keith I. Marton, member, Health Commission, September 24 - 26, and September 29 - October 2; Manuel Rosales, member, Parking and Traffic Commission, July 29 - 31, and August 6 - 8; Reiko Homma True, member, Department of Public Health, July 26 - 30; Joseph Driscoll, member, Retirement Board, August 8 - 21; Gwendolyn Tillman, member, Commission on the Status of Women, July 22 - August 1, 1993.)

Adopted.

[Local Taxes - Small Business]
Resolution urging the Mayor to take immediate steps to mitigate the impact of the increase in taxes to small businesses, and expressing the desire of the Board of Supervisors to look for ways to restore the $2,500 small business threshold or other means to lessen the impact of the business/payroll tax registration and exemption ordinance on small business, and further expressing an interest in holding the line on taxes to small business in San Francisco. (Supervisor Conroy)

File 127-93-13.1, Resolution No. 634-93

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.

Adopted

[Commendation]
Resolution commending Community Bridges Teens (for preparing study of the problem of violence in the Mission).

File 6-93-18, Resolution No. 578-93

Supervisors Alioto, Leal presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of a portion of Campton Place, between Grant Avenue and Stockton Street, for one day, as needed, between Thursday, August 5, 1993, and Friday, August 13, 1993, from 6:00 a.m. to 9:00 p.m., for filming.

File 42-93-34, Resolution No. 577-93

Supervisors Alioto, Leal presented for immediate adoption.

Adopted.

[Rodent Abatement Effort]
Resolution calling on Bay Area Rapid Transit District (BART) to work with the Department of Public Health on the eradication and abatement of the rodent problem at the 24th and Mission BART Station.

File 80-93-1, Resolution No. 576-93

Supervisors Leal, Kaufman, Hsieh presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher - 7.

Absent: Supervisors Conroy, Hsieh, Migden, Shelley - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Contributions]
Draft ordinance amending Administrative Code by adding Section 16.508-1 regulating contributions to city office holders for purposes other than supporting or opposing a candidacy for city and county office. (Supervisors Conroy, Shelley presented.) Referred to Rules Committee.

File 97-93-45

Referred to Board

[Commendation]
Resolution commending and honoring the work of the 911 operators for their distinguished work 24 hours a day, seven days a week and especially during the 101 California crisis. (Supervisor Maher presented.) Referred to Board August 9, 1993 For Adoption Without Committee Reference Calendar.

File 6-93-19

Called from Committee

[License Agreement]
Resolution authorizing execution of a real property license agreement at Stonestown Galleria Space 3100 for the Police Department (for temporary Police Department substation).

File 64-93-18

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to call above item from Government Efficiency and Labor Committee, with direction to schedule for Board meeting of August 9, 1993.

Motion to call from Committee adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal - 7.

Absent: Supervisors Hsieh, Maher, Migden, Shelley - 4.

Referred to Committee

[Terminal Separator]
Resolution requesting California Department of Transportation (Caltrans) to cooperate with the City and County of San Francisco in the formal examination of alternative replacement designs for the terminal separator freeway facility and requesting city staff to undertake certain tasks pursuant to that request. (Supervisor Maher presented.) Referred to Housing and Land Use Committee with request it be considered at the August 19, 1993 meeting.

File 85-93-1

[Yerba Buena Center]
Resolution expressing the intent of the Board of Supervisors to use available hotel tax revenue to finance the Children's Center, the Mexican Museum and improvements to the Moscone Center through the issuance by the Redevelopment Agency of the City and County of San Francisco of bonds producing net proceeds not to exceed $73,700,000 (Yerba Buena Gardens Project); Yerba Buena Center Redevelopment Project Area. (Supervisor Bierman presented.) Referred to Budget Committee with request it be considered at the August 11, 1993 meeting.

File 91-93-1

Requests for Hearings

File 30-93-13, By Supervisor Alioto: To consider the Center for Special Problems. Referred to Health, Public Safety and Environment Committee with request it be considered at the August 10, 1993 meeting.

File 200-93-5, By Supervisor Maher: To consider the conduct of the investigation initiated by the Department of Public Works with respect to the matter of Lawrence Kornfield and Rafael Torres-Gil. Referred to Government Efficiency and Labor Committee.

File 206-93-5, By Supervisors Hallinan, Alioto: To consider public safety issues at Geneva Towers. Referred to Health, Public Safety and Environment Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 35-93-2. [Street Acceptance] Accepting roadways, including curbs, of three dedicated public streets in the South Beach Marina Development Project Area. (Department of Public Works) Housing and Land Use

File 97-93-41. [Memberships - Library] Amending Administrative Code by adding Section 16.6-17.2 thereto, to authorize the San Francisco Public Library to join the Bay Area Library and Information Network ("Baynet"). (Public Library) Government Efficiency and Labor

File 97-93-43. [Equipment Inventories and Gifts of Equipment] Amending Administrative Code by amending Sections 21.29 through 21.33, and 10.116-2 thereof, relating to maintenance of equipment inventories and acceptance of gifts of equipment. (Purchasing Department) Government Efficiency and Labor

Resolutions Referred to Committee

File 28-93-3. [Emergency Repair] Approving emergency expenditure and commencement of repair to the "F" Wing at Laguna Honda Hospital. (Department of Public Health) Budget

File 47-93-7. [Ellis-O'Farrell Marketing Plan] Approving and authorizing implementation of Ellis-O'Farrell Garage Marketing Plan. (Department of Parking and Traffic) Government Efficiency and Labor

File 48-93-19. [Settlement of Claim] Approving the settlement of the unlitigated claim of Frank Schlessinger by payment of $7,500. (City Attorney) Government Efficiency and Labor

File 48-93-21. [Settlement of Claim] Approving the settlement of the unlitigated claim of Robert Bierwith by payment of $20,000. (City Attorney) Government Efficiency and Labor

File 64-93-21. [Extension of Existing Real Property Leases] Authorizing extension of three certain existing leases of real property for the San Francisco Public Library. (Real Estate Department) Government Efficiency and Labor

File 64-93-22. [Extension and Renewal of Existing Real Property Lease] Authorizing renewals and extensions of six certain existing leases of real property required by the Department of Public Health, Sheriff, Public Utilities Commission, Department of Public Works and District Attorney. (Real Estate Department) Government Efficiency and Labor

File 82-93-4. [Property Acquisition - Noise Easement] Authorizing the acquisition of forty-eight noise easements in the City of San Bruno as part of the City of San Bruno's Aircraft Noise Insulation Project - Phase II - $171,489.80. (Real Estate Department) Budget

File 82-93-5. [Acquisition of Subsurface Easements] Authorizing the acquisition of two permanent subsurface easements at 17 and 19 Alta Street, Assessor's Block 106, Lots 24 and 40 - $2,000. (Real Estate Department) Budget

File 93-93-9. [Memorandum of Understanding - Agreement to Extend] Ratifying agreement to extend Memorandum of Understanding with the San Francisco Interns and Residents Association. (Office of Mayor Employee Relations Division) Government Efficiency and Labor

File 150-93-3. [Grant - Federal Funds] Authorizing the Recreation and Park Department to apply for grant funds in an amount not to exceed $1,000,000, from the Intermodal Surface Transportation Efficiency Act, for the renovation of irrigation and landscaping systems along Crossover Drive and Park Presidio by-pass in Golden Gate Park; waiving indirect costs. (Recreation and Park Department) Government Efficiency and Labor

File 152-93-4. [Grant Funds] Authorizing San Francisco Sheriff Department to apply for a grant up to the amount of $667,379 which includes indirect costs, to fund the Sister Project, a comprehensive treatment program for female inmates with serious substance abuse problems. (Sheriff) Government Efficiency and Labor

File 172-93-28. [State Agreement] Authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to enter into a cooperative agreement with the State of California, Department of Vocational Rehabilitation retroactive to

July 1, 1992 in the amount of $44,235 to provide vocational rehabilitation services to residents of San Francisco who are currently receiving or require substance abuse treatment services; authorizing and directing the Board to certify said agreement which shall include an indemnification of the State of California. (Department of Public Health) Government Efficiency and Labor

File 172-93-29. [Contract] Authorizing the Department of Social Services to execute a hold harmless agreement with the State Department of Social Services for the State pass-through of a wage supplement to selected individual providers of In-Home Supportive Services for the period of August 1, 1993 through September 30, 1993, for the purposes of assuring cultural, ethnic and language oriented services through community based organizations. (Department of Social Services) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that City Attorney draft legislation to require the City to provide health benefits to all employees upon hire, including temporary employees.

By Supervisor Kennedy, that letter of inquiry be sent to Director of Public Works to determine the feasibility of placing a stationary measuring device to measure the hydrogen sulfide levels at an appropriate location at Davis and Vallejo Streets to provide evidence that an offensive odor occurs between 8 and 9 a.m. and in the middle of the afternoon each day with the most notable occurrence being on Monday mornings.

By Supervisor Kennedy, that City attorney draft ordinance to amend Administrative Code 12D which would exempt new Minority Business Enterprise/Women Business Enterprise businesses established in San Francisco from the requirement that a business must be established for at least six months.

By Supervisor Kennedy, that letter of inquiry be sent to Director, Human Rights Commission, to determine whether Escano & Associates, a newly established San Francisco business, can be granted a waiver from the requirement that a business must be established for at least six months before it can be considered for MBE/WBE certification.

By Supervisor Kennedy, that letter be sent to Chief Administrative Officer requesting a meeting with the City's Risk Manager, bonding agencies, representatives from the Coalition of Economic Equity and herself, to discuss what assistance can be provided for bonding minority contractors.

By Supervisor Conroy, that City Attorney prepare ordinance which would increase the penalty for violation of Police Code Section 554, sale of aerosol paint to minors and Section 555, sale or possession of permanent markers by minors, to $500 and requiring community service.

Motion Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Donald Hickman (Supervisor Kennedy)
Addie Ross (Supervisor Kennedy)
Virginia K. Oversaa (Supervisor Migden)
Myrna Lynch (Supervisor Migden)
Sheila Sullivan (Supervisor Conroy)

File 2-93-31

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:50 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on December 20, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 88 No. 32

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Monday, August 9, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 9, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:12 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Noted absent at first roll call:

Supervisors Hsieh, Shelley - 2.

Quorum present.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Shelley was noted present at 2:14 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Migden, moved that the Journals of Proceedings for Tuesday, February 16, and Monday, February 22, 1993, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

CONSENT CALENDAR

Recommendations of
Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Bruno Samoun against the City and County by payment of $19,995. (City Attorney)

File 45-93-42, Ordinance No.

(Superior Court No. 930-220.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Sinforosa Acuna against the Fire Department by payment of $20,000. (City Attorney)

File 45-93-44, Ordinance No.

(Superior Court No. 909-795.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of William Hulburt against the City and County by payment of $15,675 and waiver of medical lien of $8,396.23. (City Attorney)

File 45-93-45, Ordinance No.

(Superior Court No. 932-307.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Janet Grenslitt against the City and County by payment of $25,000. (City Attorney)

File 45-93-47, Ordinance No.

(Superior Court No. 945-747.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of GTE Mobilnet of California limited partnership for no money payment. (Supervisor Hallinan)

File 45-93-54, Ordinance No.

(Superior Court No. 952-096.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Bay Area Cellular Telephone Company for no money payment. (Supervisor Hallinan)

File 45-93-55, Ordinance No.

(Superior Court No. 952-093.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation against Dr. R, a general partnership doing business as the Grosvenor House by authorizing the Tax Collector Attorney to file stipulation for entry of judgment upon default and releasing the partnership and its general partners from all tax liability as set out in the settlement agreement. (Tax Collector)

File 166-93-3, Ordinance No.

(Superior Court No. 944582.)

Passed for second reading.

Adopted

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Deanne Berger-Moudgil by payment of $8,000. (City Attorney)

File 48-93-16, Resolution No. 609-93

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Elbert Mui by payment of $8,500. (City Attorney)

File 48-93-17, Resolution No. 610-93

Adopted.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant not to exceed $2,276,553, which includes indirect costs not to exceed $63,700, based on ten percent of personnel costs, from the California Department of Health Services to continue funding the Master Grant Agreement; providing for ratification of action previously taken. (Department of Public Health)

File 146-93-34, Resolution No. 627-93

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, Division of Tuberculosis Control, to apply for a grant of $2,511,292, from the Center for Disease Control which includes indirect costs in the amount of $80,024, based on twenty percent of salaries and required match in the amount of $828,726, which is sixty-seven percent of direct costs, from the existing City and County ad valorem funds for the Division of Tuberculosis Control for fiscal year 1993-94, for tuberculosis control services for the residents of San Francisco. (Department of Public Health)

File 146-93-35, Resolution No. 628-93

Adopted.

[State Agreement]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to enter into a cooperative agreement with the State of California, Department of Vocational Rehabilitation retroactive to July 1, 1992 in the amount of $44,235 to provide vocational rehabilitation services to residents of San Francisco who are currently receiving or require substance abuse treatment services; authorizing and directing the Board to certify said agreement which shall include an indemnification of the State of California. (Department of Public Health)

File 172-93-27, Resolution No. 632-93

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Airports Commission to file application, and accept and expend grant of $12,598,891 from Federal Aviation Administration for assistance in improvement at the Airport (A.I.P. No. 16). (Airports Commission)

File 213-93-2, Resolution No. 633-93

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget and Rules Committees

Finally Passed

[Public Meetings and Records]
Ordinance amending Administrative Code, to provide greater public access to City records and to meetings of City boards, commissions and committees; relating to public meetings and establishing a Task Force on the implementation of the San Francisco Sunshine Ordinance. (Supervisors Shelley, Bierman, Hallinan, Alioto)

File 97-93-6, Ordinance No. 265-93

(Adds Chapter 66; Deletes Sections 16.5 and 16.5-1)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Recommendation of Housing and Land Use Committee

Passed for Second Reading

[Retail Coffee Stores]
Ordinance amending City Planning Code, to add retail coffee stores to the category of sales and services, other retail in Neighborhood Commercial Districts; adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Alioto, Conroy)

File 115-93-6, Ordinance No.

(Adds new Subsection 790.102(n).)

(General Rule Exclusion from Environment review, State Guidelines, Section 1506(b)(3).)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

From the Board

Consideration Continued

[Eminent Domain]
Resolution authorizing acquisition of Assessor's Block 1592, Lot 3, also known as Ocean Beach Parcel 4, for the Richmond Transport Project and Open Space, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Shelley)

File 288-93-1.1, Resolution No.

(July 19, 1993 - The Board of Supervisors adopted Resolution No. 559-93 which approved and authorized an agreement to purchase this property.)

Supervisor Shelley, seconded by Supervisor Maher, moved to continue consideration to September 7, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

NEW BUSINESS

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution appointing alternate member to the Assessment Appeals Board, for the unexpired portion of the three-year term ending September 3, 1993. (Rules Committee)

File 92-92-62, Resolution No. 616-93

(Mark Hagopian, vice Peter J. Fatooh, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Appointment]
Resolution appointing member to the Maternal, Child and Adolescent Health Board, for the unexpired portion of the three year term ending August 31, 1995. (Rules Committee)

File 92-92-45.4, Resolution No. 615-93

(Charlene Clemens, Health Professional, vice Kathleen Market, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Appointment]
Resolution appointing member to the Joint Task Force on the HIV Epidemic. (Rules Committee)

File 92-93-14, Resolution No. 617-93

(Carmen Chavez.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition P, charter amendment concerning the Board of Supervisors holding special meetings outside of City Hall. (Supervisor Shelley)

File 180-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Hsieh - 1.

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition O, charter amendment concerning the Board of Supervisors holding committee meetings outside of City Hall. (Supervisor Shelley)

File 204-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition I, charter amendment concerning financing construction or improvement of capital facilities or purchases of equipment. (Supervisor Hsieh)

File 240-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition T, charter amendment concerning the appointment of Deputy Chief, Fire Department. (Supervisor Hsieh)

File 241-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition R, charter amendment concerning retirees voting and serving on the Retirement Board. (Supervisor Shelley)

File 245-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

Adopted as Amended

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition L, charter amendment concerning the establishment of a Human Resources Department. (Supervisor Kaufman)

File 248-93-2

Supervisor Kaufman, seconded by Supervisor Leal, moved an Amendment of the Whole to the ballot argument.

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

Adopted

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition S, charter amendment concerning the restructuring of the Fine Arts Museums. (Supervisor Conroy)

File 253-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Adopted as Amended

(Supervisor Conroy dissenting in Committee.)

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition K, charter amendment concerning the establishment of an Ethics Commission. (Supervisor Shelley)

File 255-93-2

Supervisor Shelley, seconded by Supervisor Hallinan, moved to change paragraph five to read as follows: "Strengthen the City's Whistle Blower Program The city's whistle blower program encourages city employees and members of the public to identify waste and racial and sexual discrimination in city government. Whistle blowers will know they can come forward without fear of retaliation."; amend paragraph six, line three, by deleting "tightening, followed by".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Noes: Supervisor Conroy - 1.

Absent: Supervisors Hsieh, Maher - 2.

Adopted

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition J, charter amendment concerning disbursements in advance of revenues. (Supervisor Migden)

File 257-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

Adopted as Amended

[Ballot Argument]
Motion authorizing proponent's argument in favor of Proposition Q, charter amendment concerning the purchase of materials, supplies and equipment. (Supervisor Migden)

File 258-93-2

Supervisor Migden, seconded by Supervisor Kaufman, moved to amend page two, line eight, after "bidders" by inserting "and clarify the intent of the Charter".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition E, charter amendment concerning pension benefits for surviving spouses. (Supervisors Maher, Bierman)

File 264-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Adopted as Amended

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition U, charter amendment concerning elections. (Supervisor Bierman)

File 266-93-2

Supervisor Bierman, seconded by Supervisor Migden, moved to amend page one, line five, after "with", by deleting "all of"; amend

page one, line 13, after "amendment", by deleting "would" and by inserting "s" after "require"; amend page one, line 22, after "all", by deleting "of" and after, "their", by deleting "necessary".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

Adopted

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition N, charter amendment concerning charter review. (Supervisor Bierman)

File 266-93-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition D, charter amendment concerning early retirement for police officers and firefighters. (Supervisor Conroy)

File 269-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition H, an ordinance concerning the radio communication systems. (Supervisor Migden)

File 282-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition F, charter amendment concerning Public Employees Retirement System and authority to modify retirement benefits by ordinance. (Supervisor Maher)

File 289-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition G, charter amendment concerning wage freeze for employee organizations to receive additional training or furlough days and dental plan who previously elected not to participate. (Supervisor Hallinan)

File 294-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition A, bond issue concerning cultural facilities bond issue. (Supervisor Shelley)

File 60-93-4.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition B, bond issue concerning street improvements. (Supervisor Hsieh)

File 60-93-4.2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

(Supervisor Conroy dissenting in Committee.)

[Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition C, the sales tax ordinance. (Supervisor Migden)

File 60-93-7.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Noes: Supervisor Conroy - 1.

Absent: Supervisor Hsieh - 1.

From Rules Committee Without Recommendation

Adopted as Amended

[Ballot Argument]
Motion authorizing proponent's argument in favor of Proposition M, charter amendment concerning the establishment of a Department of Transportation. (Supervisor Migden)

File 250-93-2

Supervisor Migden, seconded by Supervisor Maher, moved to amend line 13, after "of", by deleting "some $6 million in".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Noes: Supervisors Alioto, Conroy, Maher - 3.

Absent: Supervisor Hsieh - 1.

Supervisor Kennedy, seconded by Supervisor Leal, moved that the Clerk of the Board be authorized to insert the proper proposition letter designation, to add the phrase "Board of Supervisors" and to delete any words over 300 for each ballot argument, if necessary.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Recommendations of Government Efficiency and Labor Committee

Adopted

[Public Employees' Retirement Contract - Peace Officers]
Resolution declaring notice of intention to approve an amendment to contract between the Board of Administration of the Public Employees' Retirement System and the Board of Supervisors of the City and County of San Francisco. (Employees' Retirement System)

File 154-93-1, Resolution No. 631-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Passed for Second Reading; Consideration Continued

[Contract Amendment - Peace Officers]
Ordinance authorizing an amendment to the contract between the Board of Administration of the California Public Employees' Retirement System and the City and County relating to retirement benefits for certain City employees; companion measure to File 154-93-1. (Employees' Retirement System)

File 154-93-1.1, Ordinance No.

(Pursuant to Government Code Section 20460, at least 20 days must lapse between approval of Resolution of Intention and approval of the Ordinance. Therefore, subject ordinance may be passed for second reading and continued to September 13, 1993.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Supervisor Maher, seconded by Supervisor Migden, moved to continue consideration to September 13, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[Special Validation Rate]
Resolution establishing a special validation rate for American Multi-Cinema, Inc. (AMC) at the Japan Center and Fillmore Annex Garages. (Department of Parking and Traffic)

File 47-93-5, Resolution No. 608-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Extension of Existing Real Property Lease]
Resolution authorizing, retroactively, extension of certain existing leases of real property for various city departments. (Real Estate Department)

File 64-93-13, Resolution No. 611-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Amendment to Existing Real Property Lease]
Resolution authorizing an amendment to an existing lease of real property at 25 Taylor Street, Rooms 605, 607 and 610, for the Department of Public Health for use as offices for the Tuberculosis and HIV screening and prevention services to high risk Tenderloin residents. (Real Estate Department)

File 64-93-14, Resolution No. 612-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Grant - Federal Funds]
Resolution authorizing the Mayor to apply for a grant for lead-based paint hazard reduction program from the U.S. Department of Housing and Urban Development for a total amount not to exceed six million dollars ($6,000,000) for a program authorized under the Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1992, Public Law Number 102-139, $600,000 of indirect costs associated with the acceptance of these grant funds is included in the application budget. (Supervisor Shelley)

File 68-93-8, Resolution No. 614-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Memorandum of Understanding]
Resolution ratifying amendment to Memorandum of Understanding with International Brotherhood of Electrical Workers, Local 6. (Employee Relations Division)

File 93-93-7, Resolution No. 618-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Memorandum of Understanding - Painters]
Resolution ratifying Memorandum of Understanding between and for the City and County and Painters Local 4, District Council No. 8. (Employee Relations Division)

File 93-93-8, Resolution No. 619-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Anti-Drug Abuse Funds]
Resolution authorizing retroactively, the Chief Adult Probation Officer to apply for, accept and expend funds in the amount of $179,797 which includes indirect costs in the amount of $8,990, based on five percent of the total project, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Adult Probation's Drug Abatement Project". (Adult Probation Department)

File 130-93-1, Resolution No. 620-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Grant - State Funds]
Resolution authorizing the Chief Adult Probation Officer to apply for retroactively, accept and expend funds in the amount of $99,706.50, which includes indirect cost in the amount of $4,370 based on 4.38 percent of the total grant made available through the Office of Criminal Justice Planning for a project entitled "Gang Caseload Component of the Intensive Services Unit". (Adult Probation Department)

File 130-93-2, Resolution No. 621-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Grant - State Funds]
Resolution authorizing the District Attorney to apply for, accept and expend funds in the amount of $315,707 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Attorney's Drug Abatement Project" for the twelve month period July 1, 1993 through June 30, 1994; providing for ratification of action previously taken. (District Attorney)

File 138-93-3, Resolution No. 622-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

Consideration Continued

[Grant - State Funds]
Resolution authorizing the District Attorney to apply for, accept and expend grant funds in the amount of $100,000 made available through the California Office of Criminal Justice Planning for a project entitled "Gang Violence Suppression Program" for the twelve month period July 1, 1993 through June 30, 1994; providing for ratification of action previously taken. (District Attorney)

File 138-93-4, Resolution No. 646-93

Supervisor Leal, seconded by Supervisor Kaufman, moved to continue consideration to August 16, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

Adopted

[Grant - State Funds]
Resolution authorizing the District Attorney to apply for, accept and expend funds in the amount of $285,000 made available through the Office of the State Board of Control, Victims of Crime Program, an agent of the State of California for a project entitled "Joint Powers Agreement with Victim Witness Assistance Center", for fiscal year 1993-94; providing for ratification of action previously taken. (District Attorney)

File 138-93-5, Resolution No. 623-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

Consideration Continued

[Office of Criminal Justice Planning Funding]
Resolution authorizing the Chief of Police to apply for retroactively, accept and expend funds in the amount of $164,175,

which includes indirect costs of $8,913 based on approximately four and one-half percent of the total project cost less equipment, for continuation funding for a project entitled "Crime Prevention Expansion Project, Mission Corridor"; and agreeing to provide a twenty percent cash match in the amount of $41,044. (Police Commission)

File 143-93-1, Resolution No.

Supervisor Leal, seconded by Supervisor Kaufman, moved to continue consideration to August 16, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Office of Criminal Justice Planning Funding]
Resolution authorizing the Chief of Police to apply for, accept and expend funds in the amount of $200,000, which includes indirect costs of $10,000 based on five percent of the total grant award, for funding from the U.S. Department of Justice for a project entitled "Community Oriented Policing Program". (Police Commission)

File 143-93-2, Resolution No.

Supervisor Leal, seconded by Supervisor Kaufman, moved to continue consideration to August 16, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

Adopted

[Office of Criminal Justice Planning Funding]
Resolution authorizing the Chief of Police to apply for retroactively, accept and expend funds in the amount of $100,000, which includes indirect costs of $5,500 based on five percent of the total grant award, for new funding for a project entitled "Suppression of Drug Abuse in the Schools Program"; and agreeing to provide a ten percent cash match in the amount of $10,000. (Police Commission)

File 143-93-3, Resolution No. 624-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Office of Criminal Justice Planning Funding]
Resolution authorizing the Chief of Police to apply for retroactively, accept and expend funds in the amount of $131,663, which includes indirect costs of $6,583 based on five percent of the total grant award, for new funding for a project entitled "Anti-Drug Abuse Enforcement Program". (Police Commission)

File 143-93-4, Resolution No. 625-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Office of Criminal Justice Planning Funding]
Resolution authorizing the Chief of Police to apply for retroactively, accept and expend funds in the amount of $100,000, which includes indirect costs of $4,096 based on five percent of the total grant award, less equipment expenses for new funding for a project entitled "California Gang Violence Suppression Program". (Police Commission)

File 143-93-5, Resolution No. 626-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Anti-Drug Abuse Funds]
Resolution authorizing retroactively the Sheriff to apply for, accept and expend funds in the amount of $80,696 which includes indirect costs in the amount of $3,960 based on 5 percent of the project costs less audit expenses made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Sheriff's Drug Abatement Project". (Sheriff)

File 152-93-3, Resolution No. 629-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Grant - Private Funds]
Resolution authorizing the Department of Social Services to apply for, accept and expend a grant in the amount of $25,000 from Northern California Grantmakers in order to conduct an evaluation of the effectiveness of the General Assistance Training and Employment Services (GATES) Program; placing $25,000 on reserve. (Social Services Department)

File 153-93-3, Resolution No. 630-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the proposed vacation and sale of a portion of Yosemite Avenue, south of Williams Avenue and a portion of Armstrong Avenue, east of Newhall Street; and adopting findings pursuant to City Planning Code Section 101.1.

File 164-93-1

(Pursuant to Board of Supervisors Resolution No. 515-93 approved July 16, 1993.)

The privilege of the floor was granted to the following person:

Louise Vaughn;
Mary Bracken;
Arthur, representing developer.

From Budget and Housing and Land Use Committees
Without Recommendation

Consideration Continued

[Street Vacation]
Ordinance ordering vacation and sale of a portion of Yosemite Avenue, south of Williams Avenue and a portion of Armstrong Avenue, east of Newhall Street and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 164-93-1.1, Ordinance No.

(Fiscal Impact.)

Supervisor Kennedy, seconded by Supervisor Bierman, moved to continue consideration August 30, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

SPECIAL ORDER - 3:00 P.M.

From the President

Board of Supervisors Sitting as Committee of the Whole

Hearing Held

[Redevelopment Strategic Plan]
To consider the Redevelopment Agency's Strategic Plan. (Supervisor Kennedy)

File 161-93-6

Supervisor Kennedy, seconded by Supervisor Migden, moved that the Board resolve itself into a Committee of the Whole.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Mr. Edward Helfeld, Director, Redevelopment Agency; Redevelopment Commissioner Gary Kitahata, Chair of the Strategic Planning Steering Committee; and Dave Schwartz, President, Capital Partnership, presented a brief overview of the May 20, 1993 Working Paper #3 Proposed Agency Mission, Goals, Objectives and Projects.

The privilege of the floor was then granted to the following persons:

Dehnert Queen;
Joan SanJewel;
Ace Washington;
Shelley Salieri;
Daniel Collins;
Susan;
Rubin Lickman;
Walter Neuman;

Yori Wadi;
Haig Mardikian;
Albert Reese;
Rich Mariano;
Bob Davis;
John Doe;
Herb Lembcke;
John Elberling;
Randy;
Robert Elton;
Thelma Frumptry;
Doug Comstock;
John Doe.

Mr. Helfeld thanked the Board of Supervisors for holding the public hearing and will take into account what was presented in testimony and any thoughts the Supervisors may have now and in the coming weeks.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Hannah;
Ace Washington;
Virginia Conway.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

Called from Government Efficiency and Labor Committee by the Board

Adopted

[License Agreement]
Resolution authorizing execution of a real property license agreement at Stonestown Galleria Space 3100 for temporary operation of a police substation for the Police Department. (Real Estate Department)

File 64-93-18, Resolution No. 613-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 8.

Absent: Supervisors Conroy, Hsieh, Shelley - 3.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

[Commendation]
Resolution commending and honoring the work of the 911 operators for their distinguished work 24 hours a day, seven days a week and especially during the 101 California crisis. (Supervisors Maher, Shelley, Alioto, Bierman)

File 6-93-19, Resolution No. 594-93

(August 2, 1993 - Introduced in Board for consideration on August 9, 1993.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-32, Resolution No. 604-93

(Susan Leal, member, Board of Supervisors, August 17 - September 2; Kevin Shelley, member, Board of Supervisors, August 23; Dale A. Carlson, member, Library Commission, July 28 - August 1; Michael Coffino, member, Rent Board, August 11 - September 6; Preston Cook, member, Port Commission, July 30 - August 7; John A. Ertola, member, Fire Commission, August 4 - 10; Robert H. Feldman, Executive Director, Board of Permit Appeals, September 10 - 20;

Jon Henry Kouba, member, Redevelopment Agency, July 21 - 27; H. Daniel McFarland, General Manager, Department of Electricity, October 18 - 22; Grant S. Mickins, member, Civil Service Commission, July 14 - 18; Charles D. Morrow, member, Fire Commission, July 29 - August 7; Patrick A. Murphy, President, Airports Commission, August 8 - 20; John E. Newlin, Executive Director, Department of Parking and Traffic, September 8 - 14; Anthony D. Ribera, Chief of Police, August 8 - 13; Doris M. Ward, Assessor, July 7 - 11, September 19 - 23 and December 9 - 12, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Street Closing]
Resolution authorizing temporary closing of portions of Polk, Larkin and Fulton Streets at various times on August 27 and August 28, 1993, for the 30th Anniversary of the March on Washington.

File 42-93-35, Resolution No. 605-93

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of portions of Waverly Place, Mason Street and Filbert Street, at various dates and times, for filming by MGM Studios.

File 42-93-36, Resolution No. 606-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of Lefty O'Doul Bridge at 3rd and Berry Streets, Friday, August 13, 1993, at 10:00 p.m. to 10:00 p.m., Saturday, August 14, 1993; and Sunday, August 15, 1993, from 6:00 a.m. to 6:00 p.m.; for the filming of a commercial.

File 42-93-37, Resolution No. 607-93

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Wild Animals]
Ordinance amending Health Code by amending Section 60 to allow wild and potentially dangerous animals at film and video production sites and to require the presence of a California Board-certified veterinarian when said animals are in San Francisco. (Supervisors Alioto, Leal presented.) Referred to Health, Public Safety and Environment Committee.

File 118-93-6

[Signs Prohibited, Path of Gold Lampposts]
Ordinance amending Police Code by adding Section 675.2 relating to regulating the posting of signs on lampposts along Market Street. (Supervisor Alioto presented.) Referred to Health, Public Safety and Environment Committee.

File 121-93-11

[Business and Payroll Expense Tax Amnesty]
Substitute ordinance amending Part III, Municipal Code, by adding Article 17, Sections 1700 through 1707 to establish a tax penalty amnesty program between November 1, 1993 and December 31, 1993 for delinquent payroll expense and business taxes; by adding Section 909.1 to increase and add penalties for delinquent payroll expense taxes as of January 1, 1994 and adding Section 1013.1 to increase and add penalties for delinquent business taxes as of January 1, 1994. (Supervisor Kaufman presented.) Referred to Budget Committee with request it be considered at the August 18, 1993 meeting.

File 127-93-17

Referred to Board

[Immunization Funding]
Resolution supporting immunization funding. (Supervisor Kennedy presented.) Referred to Board August 16, 1993 For Adoption Without Committee Reference Calendar.

File 13-93-26

[Patrick Hallinan]
Resolution urging the United States Attorney General, the Honorable Janet Reno, to investigate the arrest and indictment of Patrick Hallinan. (Supervisors Maher, Shelley, Alioto, Bierman, Kennedy, Migden presented.) Referred to Board August 16, 1993 For Adoption Without Committee Reference Calendar.

File 13-93-27

[M. H. De Young Museum]
Resolution approving erection of external structural support of M. H. De Young Memorial Museum in Golden Gate Park. (Supervisor Alioto presented.) Referred to Board August 16, 1993 For Adoption Without Committee Reference Calendar.

File 283-93-2

Report by Employee Relations Director on the status of the memorandum of understanding with physicians and dentists for fiscal year 1993-94. (Supervisor Leal presented.) At the direction of the President, scheduled for Board consideration on August 16, 1993.

File 93-93-10

Report by Private Industry Council on the number and types of programs funded over the past five years. (Supervisor Kennedy presented.) At the direction of the President, scheduled for Board consideration on August 23, 1993.

File 156-93-2

Requests for Hearings:

File 7-93-13, By Supervisor Maher: To consider urging the Public Utilities Commission to reconsider its decision to use articulated buses along Chestnut Street. Referred to Housing and Land Use Committee.

File 27-93-15, By Supervisor Kennedy: To consider the Airport's method of determination on which contracts apply to Administrative Code Section 12D (Minority/Women/Local Business Utilization Ordinance) and how it affects the contract for repavement of Runway 28L. Referred to Government Efficiency and Labor Committee.

File 27-93-16, By Supervisor Kennedy: To consider why Kevin Williams was removed from his duties as compliance officer at the San Francisco International Airport. Referred to Government Efficiency and Labor Committee.

File 60-93-10, By Supervisor Alioto: To consider ballot arguments concerning propositions on the November 1993 ballot placed by persons other than the Board of Supervisors. Referred to Rules Committee.

File 298-93-1, By Supervisor Alioto: To consider implementing good government measures which would require City departments to devise strategic plans, set yearly goals for every program and measure how well the programs actually perform. Referred to Government Efficiency and Labor Committee.

Motions:

Referred to Board

[Needle Exchange]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto presented.) Referred to Board August 16, 1993 For Adoption Without Committee Reference Calendar.

File 30-93-5.11

Referred to Committee

[Management Audit]
Motion directing the Budget Analyst to conduct a comprehensive audit of the franchise fees paid by and operations of Viacom Cablevision under its cable television franchise with the City, and providing funds for the audit. (Supervisor Bierman presented.) Referred to Government Efficiency and Labor Committee.

File 165-93-6

Referred to Board

[Subpoena]
Motion authorizing issuance of subpoena to the Chief of Police, Fire Chief and Director of the Department of Public Health related to the July 1, 1993 incident at 101 California Street. (Supervisor Maher presented.) Referred to Board August 16, 1993 For Adoption Without Committee Reference Calendar.

File 207-93-14.1

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-93-57. [Settlement of Lawsuit] Authorizing settlement of litigation of Claire Magaera against the City and County of San Francisco by payment of $11,342. (City Attorney) Government Efficiency and Labor

File 172-93-30. [San Francisco Zoo Lease and Management Agreement] Approving the form of a San Francisco Zoo Lease and Management Agreement and authorizing the General Manager of the Recreation and Park Department to execute such zoo lease and management agreement on behalf of the City and County of San Francisco; approving an indemnification by the City and County of San Francisco of the San Francisco Zoological Society contained in such zoo lease and management agreement; and declaring intention of the Board of Supervisors to fund such zoo lease and management agreement separately from the Recreation and Park Department budget, also see File 172-92-21, Ordinance No. 139-93. (Recreation and Park Department) Government Efficiency and Labor

Resolutions Referred to Committee

File 14-93-1. [Garbage Liens] Confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health) Scheduled for Public Hearing before Board on August 30, 1993 at 3:00 p.m.

File 17-93-1. [Loss of Inventory] Requesting the Board to adjust the City's inventory records because of the loss of police equipment (police vehicle California License Number 1JQG391). (Police Commission) Government Efficiency and Labor

File 25-93-19. [Contracting Out City Services] Concurring with the Controller's certification that Information and Assistance Services (formerly called Information and Referral Services) can be practically performed for the Commission on the Aging by a private contractor for a lower cost than similar services performed by City and County employees. (Commission on the Aging) Government Efficiency and Labor

File 25-93-20. [Contracting Out City Services] Concurring with the Controller's certification that Senior Transportation/Escort Services can be practically performed for the Commission on the Aging by a private contractor for a lower cost than similar services performed by City and County employees. (Commission on the Aging) Government Efficiency and Labor

File 30-93-6.1. [Demonstration County Alcohol and Drug Program Plan] Approving retroactively an addendum to the San Francisco Demonstration County Alcohol and Drug Program Plan which adds the HIV/AIDS Outreach Grant Program as administered by the Department of Public Health, Division of Mental Health and Substance Abuse Services, for submission to the State of California, Department of Alcohol and Drug Programs; authorizing and directing the President of the Board to sign said addendum. (Department of Public Health) Government Efficiency and Labor

File 41-93-1. [Assessment Costs - Sidewalk and Curb Repairs] Confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed at various locations by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid

for out of a Revolving Fund. (Department of Public Works) Scheduled for Public Hearing before Board on August 23, 1993 at 3:00 p.m.

File 64-93-19. [Extension and Renewal of Existing Real Property Lease] Substitute resolution authorizing renewals and extensions of sixteen certain existing leases of real property required by the Department of Public Health. (Real Estate Department) Government Efficiency and Labor

File 64-93-21. [Extension of Existing Real Property Leases] Substitute resolution authorizing extension of three certain existing leases of real property for the San Francisco Public Library. (Real Estate Department) Government Efficiency and Labor

File 94-93-3. [Grant - Federal Section 9 Funds] Authorizing the Public Utilities Commission to apply for, accept and expend $7,065,199 in Federal Section 9 Operating Assistance, $22,949,793 of Federal Section 9 Capital Assistance, and $5,736,977 from various local match sources such as from State Transit Capital Improvement funds, State Urban Rail Bond funds, State Clean Air and Transportation Improvement Act Bond funds, Regional local match funds such as State Transit Assistance funds, Transportation Development Act funds, Bridge Toll Net Revenues, Regional Measure One funds, Gas Tax Revenues, Transit Impact Development Fees, San Francisco Municipal Railway Improvement Corporation funds, the San Francisco County Sales Taxes, Port of San Francisco Funds, and/or Catellus Corporation funds for seven Municipal Railway Projects. (Public Utilities Commission) Government Efficiency and Labor

File 94-93-4. [Grant - Federal Section 3 Funds] Authorizing the Public Utilities Commission to apply for, accept and expend $48,733,803 in Federal Section 3 Fixed Guideway Capital Assistance and $12,041,564 from various local match sources such as from State Transit Capital Improvement funds, State Urban Rail Bond funds, State Clean Air and Transportation Improvement Act Bond funds, Regional local match funds such as State Transit Assistance funds, Transportation Development Act funds, Bridge Toll Net Revenues, Regional Measure One funds, Gas Tax Revenues, Transit Impact Development Fees, San Francisco Municipal Railway Improvement Corporation funds, the San Francisco County Sales Taxes, Port of San Francisco funds, and/or Catellus Corporation funds for three Municipal Railway Projects. (Public Utilities Commission) Government Efficiency and Labor

File 94-93-5. [Grant - Federal Funds] Authorizing the Public Utilities Commission to apply for, accept and expend $12,294,088 of Federal Surface Transportation Program/Congestion Management Air Quality Capital Assistance, $1,316,340 of Federal Aid Urban Systems Capital Assistance, $1,000,000 of Federal Enhancement Program Assistance and $3,607,203, from various local match sources such as from State Transit Capital Improvement funds, State Urban Rail Bond funds, State Clean Air and Transportation Improvement Act Bond funds, Regional local match funds such as State Transit Assistance funds, Transportation Development Act funds, Bridge Toll Net Revenues, Regional Measure One funds, Gas Tax Revenues, Transit Impact Development Fees, San Francisco Municipal Railway Improvement Corporation funds, the San Francisco County Sales Taxes, Port of San

Francisco funds, and/or Catellus Corporation funds for nine Municipal Railway Projects. (Public Utilities Commission) Government Efficiency and Labor

File 130-93-3. [Grant - Federal Funds] Authorizing the Chief Adult Probation Officer of the City and County of San Francisco to apply for, accept and expend funds in the amount of $1,323,111 not including estimated indirect costs of $66,155 which will be added to the grant budget upon award of grant by the federal agency, made available through the Center for Substance Abuse Treatment for a project entitled "P.O.W.E.R. - Probation Officers Working to End Recidivism". (Adult Probation Department) Government Efficiency and Labor

File 146-93-36. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to apply for, accept and expend retroactively a grant of $706,188, which includes indirect costs in the amount of $8,674 based on twenty percent of personnel costs, from the Centers for Disease Control for family planning and HIV research and development services for women; providing for ratification of action already taken. (Department of Public Health) Government Efficiency and Labor

File 146-93-37. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, Special Programs for Youth, as a sub-grantee, in collaboration with the Northern California Pediatric AIDS Treatment Center as prime grantee, to accept and expend an allocation of $148,143, which includes indirect costs in the amount of $19,060 based on thirteen percent of the total award, from the National Institute of Health, National Institute of Allergy and Infectious Disease, for establishing clinical trial subunits and health services for youth. (Department of Public Health) Government Efficiency and Labor

File 146-93-38. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuing allocation of $747,699, from the California Department of Health Services, Office of AIDS, to continue funding the Ryan White Comprehensive Aids Resources Emergency (CARE Title II) Disaster Relief Project; waiving indirect costs and providing ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 146-93-39. [Allocation - State Funds] Authorizing the Department of Public Health, Bureau of Toxics, Health and Safety Services, to accept and expend an allocation of up to $450,000, which includes indirect costs in the amount of $55,608 based on twenty percent of salaries, from the State Water Resource Control Board, Division of Clean Water Programs, for local oversight of cleanup activities at leaking underground storage tank sites funded by grant funds to establish and finance civil service positions for the provision of these services, and to authorize the Director of Health to execute State Water Resources Control Board contract on behalf of the City and County, which contract provides that the City shall indemnify, defend and hold the State harmless from any and all claims, losses and damages accruing or resulting in connection with the City's performance of the contract, providing for ratification

of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 146-93-40. [Grant - State Funds] Authorizing the Department of Public Health, Community Health Services, Family Health Bureau, to apply for retroactively, accept and expend a grant of $1,384,872, which includes indirect costs in the amount of $97,766 based on ten percent of personnel costs, from the State Department of Health Services for WIC services and granting the Director of Health the authority to sign any subsequent amendments up to $1,500,000 during the contract period; providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kaufman, that letter of inquiry be sent to Director of Parking and Traffic to determine whether it is feasible to change the timing on the traffic signal at the corners of Market Street and Van Ness Avenue to allow elderly and handicapped pedestrians more time to cross the street safely.

By Supervisor Kennedy, that City Attorney prepare legislation that would amend the Administrative Code to relax the bid bond requirements on construction contracts that have been approved as set asides pursuant to the provisions of Administrative Code Chapter 12D (Minority/Women/Local Business Utilization Ordinance).

By Supervisor Alioto, that City Attorney draft resolution asking the California Legislature to strengthen California Penal Code Section 646.9 concerning stalking and harassing attacks.

By Supervisor Alioto, that letters be sent to the Mayor, City Attorney, Chief of Police, Director of Public Health and Director of Social Services inquiring into the planning, execution, legality and all other relevant information regarding the "Matrix Program" or any attempt to "sweep" San Francisco of the homeless.

By Supervisor Alioto, that letter of inquiry be sent to Director of Airport requesting information concerning the Airport's membership in the City and County Associated Governments of San Mateo County, such as, application process, whether Mayor or Board of Supervisor's approval is required and any documents entered into with this organization.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Tede Matthews (Supervisor Migden)
Tom Walpole (Supervisor Conroy)
Conrad Harris (Supervisor Bierman)

File 2-93-32

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:09 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 3, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, August 16, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 16, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Noted absent at first roll call:

Supervisors Bierman, Maher - 2.

Quorum present.

Supervisor Bierman excused, on official leave of absence..

Supervisor Maher was noted present at 2:13 p.m.

COMMUNICATION

The Clerk presented a communication from his Honor, the Mayor, returning with his veto the following ordinance:

Consideration Continued

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whosé compensations are subject to the provisions of Section 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment effective July 1, 1993 for gardener and inspector classifications.

File 106-93-3

In accordance to Rule 2.9a of the Rules of Order of the Board of Supervisors which states the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is read to the Board, Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to August 23, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Bruno Samoun against the City and County by payment of $19,995. (City Attorney)

File 45-93-42, Ordinance No. 266-93

(Superior Court No. 930-220.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Sinforosa Acuna against the Fire Department by payment of $20,000. (City Attorney)

File 45-93-44, Ordinance No. 267-93

(Superior Court No. 909-795.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of William Hulburt against the City and County by payment of $15,675 and waiver of medical lien of $8,396.23. (City Attorney)

File 45-93-45, Ordinance No. 268-93

(Superior Court No. 932-307.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Janet Grenslitt against the City and County by payment of $25,000. (City Attorney)

File 45-93-47, Ordinance No. 269-93

(Superior Court No. 945-747.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of GTE Mobilnet of California limited partnership for no money payment. (Supervisor Hallinan)

File 45-93-54, Ordinance No. 270-93

(Superior Court No. 952-096.)

Finally passed.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Bay Area Cellular Telephone Company for no money payment. (Supervisor Hallinan)

File 45-93-55, Ordinance No. 271-93

(Superior Court No. 952-093.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation against Dr. R, a general partnership doing business as the Grosvenor House by authorizing the Tax Collector Attorney to file stipulation for entry of judgment upon default and releasing the partnership and its general partners from all tax liability as set out in the settlement agreement. (Tax Collector)

File 166-93-3, Ordinance No. 274-93

(Superior Court No. 944582.)

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Retail Coffee Stores]
Ordinance amending City Planning Code, to add retail coffee stores to the category of sales and services, other retail in Neighborhood Commercial Districts; adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Alioto, Conroy)

File 115-93-6, Ordinance No. 272-93

(Adds new Subsection 790.102(n).)

(General Rule Exclusion from Environment Review, State Guidelines, Section 1506(b)(3).)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Finally Passed

(Supervisor Hsieh dissenting in Committee.)

[Business/Payroll Tax Registration and Exemption]
Ordinance amending Municipal Code, Part III, to lower the qualifyin maximum for the small business exemption to the Payroll Expense Tax and the Business Tax; to limit tax liability for smaller businesses to one-half of the 1993 tax year; to provide for graduated payroll expense tax rates and to require quarterly prepayment for large businesses and to provide graduated business registration fees and to require quarterly prepayments for large businesses. (Supervisor Migden)

File 127-93-13, Ordinance No. 273-93

(Amends Sections 903.1, 905-A, 905-B, 907, 1005.3, 1005.3-1, 1007, 1007.2 and 1009)

(June 21, 1993 - Public hearing held.)
(July 26, 1993 - Public hearing held.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Leal, Migden, Shelley - 7.

Noes: Supervisors Hallinan, Kennedy, Maher - 3.

Absent: Supervisor Bierman - 1.

Recommendations of Government Efficiency and Labor Committee

Adopted

[Grant - State Funds]
Resolution authorizing the District Attorney to apply for, accept and expend grant funds in the amount of $100,000 made available through the California Office of Criminal Justice Planning for a project entitled "Gang Violence Suppression Program" for the twelve month period July 1, 1993 through June 30, 1994; providing for ratification of action previously taken. (District Attorney)

File 138-93-4, Resolution No. 646-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

[Office of Criminal Justice Planning Funding]
Resolution authorizing the Chief of Police to apply for retroactively, accept and expend funds in the amount of $164,175, which includes indirect costs of $8,913 based on approximately four and one-half percent of the total project cost less equipment, for continuation funding for a project entitled "Crime Prevention Expansion Project, Mission Corridor"; and agreeing to provide a twenty percent cash match in the amount of $41,044. (Police Commission)

File 143-93-1, Resolution No. 647-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

[Office of Criminal Justice Planning Funding]
Resolution authorizing the Chief of Police to apply for, accept and expend funds in the amount of $200,000, which includes indirect costs of $10,000 based on five percent of the total grant award, for

funding from the U.S. Department of Justice for a project entitled "Community Oriented Policing Program". (Police Commission)

File 143-93-2, Resolution No. 648-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

NEW BUSINESS

Recommendations of Budget Committee

Adopted

[Emergency Repair]
Resolution approving emergency expenditure and immediate commencement of repair to the "F" Wing at Laguna Honda Hospital; and requesting the Hospital to report to the Board of Supervisors' Budget Committee when the construction contract is awarded. (Department of Public Health)

File 28-93-3, Resolution No. 642-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

[Property Acquisition - Noise Easement]
Resolution authorizing the acquisition of forty-eight noise easements in the City of San Bruno as part of the City of San Bruno's Aircraft Noise Insulation Project - Phase II - $171,489.80. (Real Estate Department)

File 82-93-4, Resolution No. 644-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

[Yerba Buena Center]
Resolution expressing the intent of the Board of Supervisors to use available hotel tax revenue to finance the Children's Center, the Mexican Museum and improvements to the Moscone Center through the issuance by the Redevelopment Agency of the City and County of San Francisco of bonds producing net proceeds not to exceed $73,700,000 (Yerba Buena Gardens Project); Yerba Buena Center Redevelopment Project Area. (Supervisors Bierman, Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley)

File 91-93-1, Resolution No. 645-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

Recommendations of Economic Vitality and Social Policy Committee

Consideration Continued

[African-American Population]
Resolution urging the Mayor to join the Board of Supervisors in declaring the commitment of the City and County to the existence of a viable African American community in San Francisco; creating a task force on African American participation to recommend initiatives for implementing a strategic plan for the African American community, including funding and implementation of strategies for the economic development district in the Western Addition, and requesting a report from the task force, within ninety days, on first implementation steps. (Supervisors Alioto, Kennedy)

File 174-93-7, Resolution No.

Supervisor Kennedy, seconded by Supervisor Migden, moved to continue consideration to August 30, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

[Levon Hagop Nishkian]
Resolution memorializing his Honor, the Mayor, to urge the Port Commission and the Chief Administrative Officer, through the Department of Public Works, to officially designate the drawbridge spanning Islais Creek Channel as the "Levon Hagop Nishkian" bridge. (Supervisors Kaufman, Bierman)

File 215-93-2, Resolution No.

Supervisor Kaufman, seconded by Supervisor Migden, moved to continue consideration to August 23, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

Recommendation of Government Efficiency and Labor Committee

Adopted

[Eugene Lumpkin]
Resolution calling on Eugene Lumpkin to resign as a member of the Human Rights Commission and further calling on Mayor Frank Jordan to remove Eugene Lumpkin from the Human Rights Commission if he fails to resign and to restore public confidence in the role and mission of the commission especially with regards to lesbian and gay San Franciscans. (Supervisor Hallinan)

File 217-93-4, Resolution No. 656-93

Supervisor Maher, seconded by Supervisor Conroy, moved to table.

Motion to table refused adoption by the following vote:

Ayes: Supervisors Conroy, Hsieh, Kennedy, Maher - 4.

Noes: Supervisors Alioto, Hallinan, Kaufman, Leal, Migden, Shelley - 6.

Absent: Supervisor Bierman - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 8.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Bierman, Conroy - 2.

Recommendations of Health, Public Safety and Environment Committee

Adopted

[Managed Care]
Resolution advising the State Department of Health Services of

concerns regarding maximum enrollment levels of Medi-Cal beneficiaries proposed by the State Department of Health Services for managed care. (Supervisors Shelley, Alioto, Leal)

File 12-93-3.2, Resolution No. 641-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Leal - 3.

Adopted as Amended

[Commendation]
Resolution commending and honoring the police, fire and paramedics at the scene of the 101 California Street incident for their distinguished service during the tragedy. (Supervisor Shelley)

File 207-93-14.2, Resolution No. 649-93

Supervisor Shelley, seconded by Supervisor Hallinan, moved to amend title, line one, after "police" by inserting ", Fire" and amend line 15, after "police" by inserting "and fire".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Leal - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Leal - 3.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Street Acceptance]
Ordinance accepting roadways, including curbs, of three dedicated public streets in the South Beach Marina Development Project Area. (Department of Public Works)

File 35-93-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Leal - 3.

Adopted

[Final Negative Declaration]
Resolution adopting Final Negative Declaration, finding and determining that the proposed zoning reclassification of Lots 31 through 35 of Assessor's Block 2696 (4127-47 19th Street from RH-3 (Three-Family Neighborhood District) to Castro Street NCD (Neighborhood Commercial District), or rezoning the same Lots 31 and 32 (4139-47 19th Street) from RH-3 to NC-1 (Neighborhood Commercial Cluster District), will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration. (Department of City Planning)

File 36-93-1, Resolution No. 643-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Leal - 3.

Passed for Second Reading

[Zoning Map Change]
Ordinance adopting changes in the property use classification as an amendment of the Zoning Map of the City and County of San Francisco of property located at 4139-47 19th Street, Lots 31 and 32, Assessor's Block 2696 from an RH-3 District to an NC-1 District; and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 36-93-1. (Department of City Planning)

File 36-93-1.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Leal - 3.

[Zoning Map Change 92.258Z]
Ordinance adopting changes in use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located on the west side of Ceres Street, 100 feet north of Williams Avenue in Assessor's Block 5409, Lots 10 and 11 from an RH-1 (House, One-Family) District to an RH-2 (House, Two-Family) District; and

adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

File 36-93-2, Ordinance No.

(Exempt from Environmental Review as a General Rule Exclusion under Section 15361(b)(3) of CEQA Guidelines.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Leal - 3.

Adopted

[Permit]
Resolution granting revocable permission to Candlestick R.V. Park, Inc. to extend the Candlestick Recreational Vehicle Park and to install gates in an unimproved portion of Fitzgerald Avenue between Earl and Donahue Streets, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-93-2, Resolution No. 638-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Leal - 3.

[Permit]
Resolution granting revocable permission to Golden Gate University to install two 4-inch conduits under Jessie Street between Ecker and Anthony Streets for telecommunication purposes between 536 Mission Street (Block 3708, Lot 13) and 40 Jessie Street (Block 3708, Lot 23); and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-93-3, Resolution No. 639-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Leal - 3.

From the President

Consideration Continued

Report by Employee Relations Director on the status of the Memorandum of Understanding with physicians and dentists for fiscal year 1993-94. (Supervisor Leal)

File 93-93-10

Supervisor Kaufman, seconded by Supervisor Migden, moved to continue consideration to September 7, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Leal - 3.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider ordinance amending Municipal Code, Part III, to create increased and graduated tax rates for businesses with total payroll expenses in excess of $500,000; to impose an additional business tax on gross receipts exceeding specified amounts. (Supervisor Hallinan)

File 127-93-15

(A second public hearing has been scheduled for August 23, 1993.)

The privilege of the floor was granted to the following persons:

Douglas Shorenstein; Dehnert Queen; Anthony Von der Muhll; Lynn Carter; John Doe; Bill Campbell; Ron Mullen; Regina Phelps; Don Fisher; Jim Sullivan; Jonathan Becker; John Doe; Gwen Capton; Sheila; Sid Bonna; Jeff; Dave Sahagon; Jack Howkie; Glen Smalton; Greg Winsor; Ben; Paul Pentecost; Jess Knight; Mr. Hemrol; Steve Leoni; R. J. Hampton; Pat Carrie.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Ballot Measure]
Hearing to consider ordinance levying a one-half of one percent transactions and use tax, said levy being conditioned on the failure of Senate Constitutional Amendment Number One imposing a statewide one-half of one percent sales and use tax to be submitted to the State electorate at the State special election to be held on November 2, 1993. (Supervisors Migden, Alioto)

File 296-93-1

(A second hearing has been scheduled for September 13, 1993.)

The privilege of the floor was granted to the following person:

Dehnert Queen.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing appealing decision of the City Planning Commission by its Motion No. 13539, dated June 17, 1993, approving Conditional Use Application 93.165C, authorizing the establishment of a Residential Board and Care Substance Abuse Recovery Program for up to fourteen adult females, within an existing building located in an NC-2 (Small-Scale Neighborhood Commercial) District of property located at 2161 Sutter Street.

File 37-93-5

(Environmental Review categorically exempt.)

(Appeal filed July 19, 1993.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Dave Rosenthal; Daniel Berkeley; Donna Power; John Doe; Roosevelt Perry; Matthew Reidy; Shelly Silverman; Bob Ubanks; Shelley Salieri; Patricia Vaughey; Dehnert Queen.

Respondents:

Glenda Skiffer, representing City Planning; Christine Hobler; Ms. Hassan; Naomi Gray; Michael; Sid O'Neal; Charles Harvey; Ron Cook; Elise Priceman; James Matter; John Doe; Wayne; Charles George; Jim Stewell; Anthony Von der Muhll; Susan; Nat Grayson, Jr.

A rebuttal period was allowed.

(Only one of the following two motions should be adopted.)

Adopted

[Zoning Appeal]
Motion approving decision of the City Planning Commission by its

Motion No. 13539, approving Conditional Use Application No. 93.165C of property located at 2161 Sutter Street; and adopting findings pursuant to City Planning Code Section 101.1.

File 37-93-5.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Absent: Supervisor Bierman - 1.

Refused Adoption

[Zoning Appeal]
Motion disapproving decision of the City Planning Commission by its Motion No. 13539, approving Conditional Use Application No. 93.165C of property located at 2161 Sutter Street; and adopting findings pursuant to City Planning Code Section 101.1.

File 37-93-5.2

Supervisor Hsieh, seconded by Supervisor Maher, moved adoption.

Refused adoption by the following vote:

Ayes: Supervisors Conroy, Hsieh, Maher - 3.

Noes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Absent: Supervisor Bierman - 1.

Request Granted

Supervisors Kaufman and Shelley requested that the Clerk be directed to ask the City Attorney to prepare resolution urging the Mayor to urge the City Planning Department to help establish a neighborhood advisory committee concerning the conditional use permit at 212-214 Ashbury Street.

No objection and Clerk directed to comply.

Adopted

[Findings]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 93.165C of property located at 2161 Sutter Street, for action by the Board at its next meeting.

File 37-93-5.3

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Absent: Supervisor Bierman - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing appealing decision of the City Planning Commission by its Motion No. 13540, dated June 24, 1993, approving Conditional Use Application 93.031C, to establish a ten-bedroom residential care facility for up to 20-persons in an architecturally significant structure which contains three dwelling units on a 9,891 square-foot lot, located in an RH-2 (Residential, House, Two-Family) District with a 40-X Height and Bulk District of property located at 212-214 Ashbury Street.

File 37-93-6

(Environmental Review categorically exempt.)

(Appeal filed July 22, 1993.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Mary Briscoe; Dr. Margareta Ekblad; John Doe; Renee Bernold; John Doe; Patricia Vaughey; Carol Losger; Ed Murphy; Mary; Dr. Lee; Doug Comstock; Dehnert Queen; Margaret Verges; John Bardis; Steve Consur.

Respondents:

Glenda Skiffer, representing City Planning; Steve; Jack Chew; Abner J. Bowl; John Doe; Ellen Rhoads; Donna; John Doe; John Doe; John Doe; Sheila; Karen; Jim Morales; Steve.

A rebuttal period was allowed.

(Only one of the following two motions should be adopted.)

Refused Adoption as Amended

[Zoning Appeal]
((Motion approving decision of the City Planning Commission by its Motion No.13540, approving Conditional Use Application No. 93.031C, of property located at 212-214 Ashbury Street; and adopting findings pursuant to City Planning Code Section 101.1.))

Motion disapproving decision of the City Planning Commission by its Motion No. 13540, approving Conditional Use Application No. 93.031C, of property located at 212-214 Ashbury Street and approving granting a conditional use permit subject to conditions imposed by City Planning Commission and additional condition; and adopting findings pursuant to City Planning Code Section 101.1.

File 37-93-6.1

Supervisor Kaufman, seconded by Supervisor Migden, moved to amend to add additional condition that the City Planning Department help formulate a neighborhood advisory committee at this site.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

The roll was then called on the main motion and it was refused adoption as amended by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Absent: Supervisor Bierman - 1.

Tabled

[Zoning Appeal]
Motion disapproving decision of the City Planning Commission by its Motion No. 13540, approving Conditional Use Application No. 93.031C, of property located at 212-214 Ashbury Street; and adopting findings pursuant to City Planning Code Section 101.1.

File 37-93-6.2

Supervisor Kennedy, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

[Findings]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 93.031C of property located at 212-214 Ashbury Street, for action by the Board at its next meeting.

File 37-93-6.3

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Bierman - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
John Doe;
Ron Lemin;
Shelley Salieri;
Louise Vaughn;
Margaret Verges;
Tavai Fiatoa;
Rosemary Roberts;
Jane Doe.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

At the request of Supervisor Maher the following measure was severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Patrick Hallinan]
Resolution urging the United States Attorney General, the Honorable Janet Reno, to investigate the arrest and indictment of Patrick Hallinan. (Supervisors Maher, Shelley, Alioto, Bierman, Kennedy, Migden)

File 13-93-27, Resolution No. 650-93

(August 9, 1993 - Introduced in Board for consideration on August 16, 1993.)

Supervisor Maher, seconded by Supervisor Migden, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 7.

Absent: Supervisors Bierman, Conroy, Hsieh, Leal - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 7.

Absent: Supervisors Bierman, Conroy, Hsieh, Leal - 4.

At the request of Supervisor Kaufman, the following measure was severed from the For Adoption Without Committee Reference Calendar and considered separately.

Amended; Referred to Rules Committee

[Subpoena]
Motion authorizing issuance of subpoena to the Chief of Police, Fire Chief and Director of the Department of Public Health related to the July 1, 1993 incident at 101 California Street. (Supervisor Maher)

File 207-93-14.1

(August 9, 1993 - Introduced in Board for consideration on August 16, 1993.)

Supervisor Maher, seconded by Supervisor Migden, moved to amend page two, between lines three and four, by inserting the following new paragraph:

"In addition, the Board further subpoenas for the purposes of testimony any and all officers and employees of the Police, Fire and Public Health Departments who have personal knowledge or information regarding the incident at 101 California. These officers and employees will appear and testify at the Health, Public Safety and Environment Committee at its next public hearing on the 101 California Street incident, and at all continuations of this hearing. The scheduling and appearance by these officers and employees, however, will be at the discretion of the Chair of the Committee."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 7.

Absent: Supervisors Bierman, Conroy, Hsieh, Leal - 4.

Supervisor Kennedy, seconded by Supervisor Maher, moved to refer to Rules Committee, as amended, with direction to report back to the Board on August 23, 1993.

Motion to refer as amended adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 7.

Absent: Supervisors Bierman, Conroy, Hsieh, Leal - 4.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Immunization Funding]
Resolution supporting immunization funding. (Supervisor Kennedy)

File 13-93-26, Resolution No. 640-93

(August 9, 1993 - Introduced in Board for consideration on August 16, 1993.)

Adopted.

[M. H. De Young Museum]
Resolution approving erection of external structural support of M. H. De Young Memorial Museum in Golden Gate Park. (Supervisor Alioto)

File 283-93-2, Resolution No. 651-93

(August 9, 1993 - Introduced in Board for consideration on August 16, 1993.)

Adopted.

[Needle Exchange]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto)

File 30-93-5.11

(August 9, 1993 - Introduced in Board for consideration on August 16, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 7.

Absent: Supervisors Bierman, Conroy, Hsieh, Leal - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-33, Resolution No. 635-93

(Angela Bradstreet, Vice President, Board of Permit Appeals, August 27 - September 11; Alan Carlson, Chief Executive Officer, Superior and Municipal Courts; August 7 - 22; Debra Chasnoff, member, Film and Video Arts Commission, August 5 - 8 and 13 - 24 Clothilde Hewlett, member, Police Commission, August 6 - 8; Anson Moran, Acting General Manager, Public Utilities Commission

August 10 - 23; Patrick Murphy, President, Airports Commission, August 8 - 20; Mark Orsi, member, Library Commission, August 10 - 15; Harry S. Parker, III, Director, Fine Arts Museums, August 5 - September 6; Roselyne Swig, member, Library Commission, August 2 - 5, August 19 - September 10, September 12 - 14, September 27 - 28 and September 29 - October 6; Doris M. Ward, Assessor, September 16 - 22, 1993.)

Adopted.

[Clerical Correction of Charter Amendment]
Motion directing the Clerk of the Board of Supervisors to correct the title to the Fine Arts Museums Charter Amendment, File No. 253-93-1, and to communicate such correction to the Registrar of Voters. (Supervisor Conroy)

File 253-93-1.1

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Cigarette Tax]
Resolution requesting the California State Association of Counties to reconsider the decision of Friday, August 13, 1993 (to deny), on sponsorship of legislation to extend a 17 cent additional tax on cigarettes for use by counties and for breast cancer research.

File 12-93-24, Resolution No. 637-93

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Task Force on Local Employment]
Resolution providing an extension of four months to the life of the Task Force on Local Employment Opportunities (March 31, 1994).

File 174-93-2.1, Resolution No. 636-93

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Kaufman, Kennedy, Maher, Migden, Shelley - 6.

Absent: Supervisors Bierman, Conroy, Hallinan, Hsieh, Leal - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Returned disapproved by the Mayor; Consideration Continued

Referred to Committee

[Rental Vehicle User Tax]
Substitute ordinance amending Part III, Municipal Code, by adding Article 19, Sections 1901 through 1920, imposing a rental vehicle user tax of $4.00 a day with a maximum of $16.00; operative October 1, 1993. (Supervisor Conroy presented.) Referred to Budget Committee.

File 127-93-19

Referred to Board

[Commend]
Resolution commending Sam K. Harrison for distinguished service as a member of the San Francisco War Memorial Board of Trustees. (Supervisor Shelley presented.) Referred to Board August 23, 1993 For Adoption Without Committee Reference Calendar.

File 6-93-20

Referred to Committee

[Muni Buses]
Resolution urging the Mayor to urge the Public Utilities Commission to discontinue the plan to use articulated buses along Chestnut Street. (Supervisor Maher presented.) Referred to Housing and Land Use Committee.

File 7-93-13

Referred to Board

[Immigration Laws]
Resolution urging the United States Government to treat all immigrants in a fair and humane manner and guarantee their rights under International Law and the Refugee Act of 1980 and opposing any

changes in existing immigration laws that would restrict immigration or weaken the right to seek asylum and denouncing the rise in anti-immigrant sentiment. (Supervisors Hsieh, Leal, Alioto presented.) Referred to Board August 23, 1993 For Adoption Without Committee Reference Calendar.

File 13-93-28

Referred to Committee

[Off-Street Parking]
Resolution changing all-day Sunday parking rate from $1.50 to $1.00 at Seventh and Harrison surface parking lot. (Supervisor Hallinan presented.) Referred to Government Efficiency and Labor Committee.

File 47-93-8

Referred to Board

[Wastewater Treatment Plants]
Resolution supporting legislation to develop watershed management plans for the efficient, effective, reasonable and equitable control of pollutants discharged to surface waters of the state and encouraging the development of reasonable control measure by other governmental entities for those sources for which cities are not the most appropriate regulators. (Supervisor Kennedy presented.) Referred to Board August 23, 1993 For Adoption Without Committee Reference Calendar.

File 53-93-2

Referred to Committee

[Appropriations Limit]
Resolution establishing the appropriations limit for fiscal year 1993-94 pursuant to California Constitution Article XIII B. (Supervisor Migden presented.) Referred to Budget Committee with request it be considered at the September 8, 1993 meeting.

File 101-93-5

Referred to Board

[Employment Training]
Resolution supporting the development and implementation of a coordinated strategy to improve employer access to federal, state and local employment training sources. (Supervisor Kennedy presented.) Referred to Board August 23, 1993 For Adoption Without Committee Reference Calendar.

File 156-93-4

[Renaming Oceanview Park]
Resolution urging the Mayor to urge the Department of Recreation and Park to redesignate the current Oceanview Park as the Joseph Gamble Kennedy Park. (Supervisor Alioto presented.) Referred to Board August 23, 1993 For Adoption Without Committee Reference Calendar.

File 193-93-5

[Applied Cultural Studies and Educational Achievement]
Resolution supporting the Center for Applied Cultural Studies and Educational Achievement at San Francisco State University for pioneering efforts toward excellence and access in education for African American students through innovative projects. (Supervisor Kennedy presented.) Referred to Board August 23, 1993 For Adoption Without Committee Reference Calendar.

File 274-93-4

[Economic Development]
Resolution supporting economic development by working substantively and collaboratively with existing organizations, including Community College, Western Job Training Partnership Association, California Association for Local Economic Development and California Redevelopment Association. (Supervisor Kennedy presented.) Referred to Board August 23, 1993 For Adoption Without Committee Reference Calendar.

File 274-93-5

Requests for Hearings:

File 75-93-2, By Supervisor Alioto: To consider renaming Third Street in honor of Martin Luther King, Jr. Referred to Housing and Land Use Committee.

File 118-93-7, By Supervisor Alioto: To consider legalizing the medicinal uses of marijuana. Referred to Health, Public Safety and Environment Committee with request it be considered at the October 26, 1993 meeting.

File 121-93-13, By Supervisor Alioto: To consider strengthening the laws on stalking and harassing by making all violations of California Penal Code Section 646.9 a felony and by removing the requirement of a "reasonable fear of death or great bodily injury" from the definition of stalking/harassment. Referred to Rules Committee with request it be considered at the August 23, 1993 special meeting.

File 212-93-2, By Supervisor Alioto: To consider the hazardous conditions observed at the recent fire at Geneva Towers, to include but not be limited to safety hazards caused by fence surrounding the building, locked exits and no sprinkler system. Referred to Housing and Land Use Committee.

File 222-93-2.1, By Supervisor Kennedy: To consider Civil Service Department's role in the classification elimination and layoff issues of the Department of Public Health and other personnel units. Referred to Economic Vitality and Social Policy Committee.

File 60-93-4.3, By Supervisor Shelley: To consider submitting proponent's rebuttal ballot argument concerning Proposition A, the cultural facilities bond measure. Referred to Rules Committee.

File 60-93-4.4, By Supervisor Hsieh: To consider submitting proponent's rebuttal ballot argument concerning Proposition B, the street improvement bond measure. Referred to Rules Committee.

File 60-93-7.2, By Supervisor Migden: To consider submitting proponent's rebuttal ballot argument concerning Proposition C, ordinance extending the one half cent sales tax. Referred to Rules Committee.

File 269-93-3, By Supervisor Conroy: To consider submitting proponent's rebuttal ballot argument concerning Proposition D, charter amendment relating to early retirement for police and firefighters. Referred to Rules Committee.

File 264-93-3, By Supervisor Maher: To consider submitting proponent's rebuttal ballot argument concerning Proposition E, charter amendment relating to pension benefits for surviving spouses. Referred to Rules Committee.

File 289-93-3, By Supervisor Maher: To consider submitting proponent's rebuttal ballot argument concerning Proposition F, charter amendment relating to public employees' retirement system and authority to modify retirement benefits by ordinance. Referred to Rules Committee.

File 294-93-3, By Supervisor Hallinan: To consider submitting proponent's rebuttal ballot argument concerning Proposition G, charter amendment relating to employee benefits in exchange for wage freeze for 1993-94. Referred to Rules Committee.

File 282-93-3, By Supervisor Migden: To consider submitting proponent's rebuttal ballot argument concerning Proposition H, relating to radio communication systems lease financing. Referred to Rules Committee.

File 240-93-3, By Supervisor Hsieh: To consider submitting proponent's rebuttal ballot argument concerning Proposition I, charter amendment relating to Health Department lease financing. Referred to Rules Committee.

File 257-93-3, By Supervisor Migden: To consider submitting proponent's rebuttal ballot argument concerning Proposition J, charter amendment relating to disbursements in advance of revenue. Referred to Rules Committee.

File 255-93-3, By Supervisor Shelley: To consider submitting proponent's rebuttal ballot argument concerning Proposition K, charter amendment relating to creation of an Ethics Commission. Referred to Rules Committee.

File 248-93-3, By Supervisor Kaufman: To consider submitting proponent's rebuttal ballot argument concerning Proposition L, charter amendment relating to creation of a Human Resources Department. Referred to Rules Committee.

File 250-93-3, By Supervisor Migden: To consider submitting proponent's rebuttal ballot argument concerning Proposition M, charter amendment relating to creation of a Department of Transportation. Referred to Rules Committee.

File 266-93-3.1, By Supervisor Bierman: To consider submitting proponent's rebuttal ballot argument concerning Proposition N, charter amendment relating to charter review. Referred to Rules Committee.

File 204-93-3, By Supervisor Shelley: To consider submitting proponent's rebuttal ballot argument concerning Proposition O, charter amendment relating to Board of Supervisors' committee meetings outside city hall. Referred to Rules Committee.

File 180-93-3, By Supervisor Shelley: To consider submitting proponent's rebuttal ballot argument concerning Proposition P, charter amendment relating to Board of Supervisors holding special meetings outside city hall. Referred to Rules Committee.

File 258-93-3, By Supervisor Migden: To consider submitting proponent's rebuttal ballot argument concerning Proposition Q, charter amendment relating to purchases of materials, supplies and equipment. Referred to Rules Committee.

File 245-93-3, By Supervisor Shelley: To consider submitting proponent's rebuttal ballot argument concerning Proposition R, charter amendment relating to retired employees representation on the Retirement Board. Referred to Rules Committee.

File 253-93-3, By Supervisor Conroy: To consider submitting proponent's rebuttal ballot argument concerning Proposition S, charter amendment relating to the Fine Arts Museums. Referred to Rules Committee.

File 241-93-3, By Supervisor Hsieh: To consider submitting proponent's rebuttal ballot argument concerning Proposition T, charter amendment relating to deputy chiefs, fire department. Referred to Rules Committee.

File 266-93-2.1, By Supervisor Bierman: To consider submitting proponent's rebuttal ballot argument concerning Proposition U, charter amendment relating to election cleanup. Referred to Rules Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 10-93-4. [United Nations Plaza Farmers Market Permit] Approving a revocable permit for a farmers' market at United Nations Plaza. (Chief Administrative Officer) Housing and Land Use

File 82-93-6. [Right of Way Agreement] Authorizing conveyance of a pipeline easement to Unocal California Pipeline Company over City-owned property in Kern County - $3,000. (Real Estate Department) Budget

File 118-93-5. [Garbage Litter Receptacles] Amending Health Code by deleting Article 6 Section 282 and amending Public Works Code Article 5.1 Section 170(a) (b), thereof, to prohibit the placement of garbage receptacles on any street, sidewalk or any other dedicated public right-of-way except on certain days and after 6:00 p.m. on the day before collection; to provide that any person who violates said Section 170(a) shall be guilty of an infraction and increasing the penalties therefor, amending Section 170 to Section 170.1, and amend Section 171(a) (b) requiring any garbage receptacle placed on the public right-of-way to prominently place a decal on the receptacle bearing the scheduled days and time for collection. (Department of Public Health) Health and Public Safety and Environment

File 121-93-12. [Filing and License Fees for Police Permits] Amending Police Code by amending Sections 2.26, 2.26.1, 2.27 and 2.27.1, relating to permit filing fees and permit license fees, by increasing the fees. (Police Commission) Budget

Resolutions Referred to Committee

File 41-93-2. [Hazardous Materials Fee and Penalty Liens] Confirming report of delinquent hazardous materials fee costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessment and liens based thereon. (Department of Public Health) Scheduled for Public Hearing before Board on August 30, 1993 at 3:00 p.m.

File 41-93-3. [Reinspection Fee Liens] Confirming report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessment and liens based thereon. (Department of Public Health) Scheduled for Public Hearing before Board on August 30, 1993 at 3:00 p.m.

File 133-93-2. [Solid Waste Management] Authorizing the Chief Administrative Officer of the City and County of San Francisco to accept and expend $2,847,921 in funds from the Sanitary Fill Company to be used for the Solid Waste Management Program Projects. (Chief Administrative Officer) Government Efficiency and Labor

File 146-93-41. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a supplemental award of $25,000, from the Department of Health Services, Office of AIDS, to augment the Local Assistance Block Grant Component of the Master Grant Agreement for a new AIDS Epidemiologic Research Study; providing for ratification of action previously taken and waiving indirect costs. (Department of Public Health) Government Efficiency and Labor

File 152-93-5. [Grant Funds] Authorizing the Sheriff to apply for grant funds, in an amount not to exceed $20,000, from the California Department of Justice, to provide automated criminal arrest and case disposition reporting from the City and County of San Francisco to the California Department of Justice, pursuant to Sections 13150 et sequitur of the California Penal Code. (Sheriff Department) Government Efficiency and Labor

File 156-93-3. [Federal Funds] Approving modifications for 1993-94 to the County Refugee Plan and allocations of Refugee Funds to service providers; authorizing the Private Industry Council to contract with the State and expend refugee funds. (Private Industry Council) Government Efficiency and Labor

File 172-93-37. [Indemnification of the County Transportation Authority] Authorizing City departments to execute agreements with the San Francisco County Transportation Authority for AB434 funding whereby the City would indemnify the Transportation Authority from claims resulting from the City's performance of said agreements. (Chief Administrative Officer) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to Acting Director of Public Health inquiring whether a public health nurse can be sent to Geneva Towers to examine the health conditions of tenants affected by the recent fire and that the nurse consult with the Geneva Towers Tenants Association.

By Supervisor Kennedy, that letter be sent to Regional Director, Department of Housing and Urban Development concerning public testimony received by the Board of Supervisors on August 16, 1993 from residents of Geneva Towers regarding the unsafe conditions observed from the recent fire at this housing development and request that a hearing be held to investigate and hear the tenants' concerns relating to the fence surrounding the site, locked exit doors, lack of sprinklers, etc.

By Supervisors Shelley and Alioto, that letter be sent to Director of Parking and Traffic requesting monthly reports on the progress of traffic flow in connection with the terminal separator.

By Supervisor Alioto, that City Attorney prepare legislation to strengthen California Penal Code Section 646.9 by making all violations of this section a felony and by removing the requirement of a "reasonable fear of death or great bodily injury" from the definition of stalking/harassment (makes any person who willfully, maliciously and repeatedly follows or harass another person guilty of stalking). File 121-93-13

By Supervisor Alioto, that City Attorney prepare resolution renaming Third Street after Martin Luther King, Jr. File 75-93-2

By Supervisor Alioto, that City Attorney prepare legislation which would legalize the medicinal uses of marijuana. File 118-93-7

By Supervisor Alioto, that letters be sent to his Honor, the Mayor; Chief Administrative Officer, the Human Rights Commission and President, Board of Supervisors, inquiring whether each addressee has made its appointments to the Task Force on Local Employment Opportunities, which was established by Resolution No. 361-93, and requesting that each addressee submit a letter to the Clerk of the Board notifying the Board of its appointees.

By Supervisor Shelley, that City Attorney conduct a comprehensive review of the following: professionalization of emergency response time, centralizing all communication systems, identifying a funding source, centralizing the work force, replacing the aging communications equipment and the requirement of prompt response times for priority phone calls.

By Supervisor Migden, that City Attorney review and comment on the 1932 Refuse Collection and Disposal Ordinance as follows: Can the City Attorney envision a reinterpretation of the 1932 ordinance which is equally defensible, but which recognizes the changing economic realities of recycling? Or has the City Attorney settled on the current interpretation as the only acceptable interpretation. If the Initiative Ordinance was amended to change the definition of "refuse" and to change how the City selected and contracted for a "refuse collector" or refuse collectors, would this pose any threat to the contract with Sanitary Fill? Specifically, could Sanitary Fill be required to fulfill its contractual obligation even if another company actually collected garbage in the City and transported it to Sanitary Fill's transfer station?

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

None.

File 2-93-33

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 9:27 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 3, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 23, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:23 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher - 7.

Noted absent at first roll call:

Supervisors Conroy, Leal, Migden, Shelley - 4.

Quorum present.

Supervisor Conroy excused. (See infra.)

Supervisor Leal excused, on official leave of absence.

Supervisor Migden excused, on official leave of absence.

Supervisor Shelley was noted present at 2:30 p.m.

Supervisor Conroy Excused

The Clerk stated that Supervisor Conroy requested to be excused from attending today's meeting.

Supervisor Hsieh, seconded by Supervisor Kennedy, moved to excuse Supervisor Conroy from attending today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher - 7.

Absent: Supervisors Conroy, Leal, Migden, Shelley - 4.

Presentation of Guests

Supervisor Alioto introduced and welcomed two guests from Frankfurt, Germany: Mr. Werner Schneider and Mr. Sebastian Popp, who are here to observe and learn about the various drug abuse programs available.

Presentation Made

Supervisor Alioto also introduced and presented a Certificate o Honor to Reginald Morris for his actions in saving two lives during the Rodney King incident.

SPECIAL ORDER - 2:00 P.M.

COMMITTEE REPORTS

Recommendations of Rules Committee

Adopted

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition A, the cultural facilities bond measure. (Supervisors Shelley, Alioto, Bierman)

File 60-93-4.3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition B, the street improvement bond measure. (Supervisors Hsieh, Alioto, Bierman)

File 60-93-4.4

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition C, ordinance extending the one half cent sales tax. (Supervisors Migden, Alioto, Bierman)

File 60-93-7.2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition H, relating to radio communication systems lease financing. (Supervisors Migden, Alioto, Bierman)

File 282-93-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition I, charter amendment relating to Health Department lease financing. (Supervisors Hsieh, Alioto)

File 240-93-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition J, charter amendment relating to disbursements in advance of revenue. (Supervisor Migden)

File 257-93-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition L, charter amendment relating to creation of a Human Resources Department. (Supervisor Kaufman)

File 248-93-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Adopted as Amended

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition N, charter amendment relating to charter review. (Supervisor Bierman)

File 266-93-3.1

Supervisor Bierman, seconded by Supervisor Kaufman, moved to amend rebuttal argument, line 6 by deleting "It also shows that" an change "c" to "C"citizens; amend line 11 by deleting "presentation, and amend line 12 by replacing "education" with "participation".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Supervisor Bierman, seconded by Supervisor Kaufman, moved to amend rebuttal argument, line 13 by adding "one" to "some" and amen line 14 by deleting "politicians".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Adopted

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition O, charter amendment relating to Board of Supervisors' committee meetings outside City Hall. (Supervisor Shelley)

File 204-93-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition P, charter amendment relating to Board of Supervisors holding special meetings outside City Hall. (Supervisor Shelley)

File 180-93-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition Q, charter amendment relating to purchases of materials, supplies and equipment. (Supervisor Migden)

File 258-93-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

From Rules Committee Without Recommendation

Adopted as Amended

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition F, charter amendment relating to public employees' retirement system and authority to modify retirement benefits by ordinance. (Supervisors Maher, Alioto, Bierman)

File 289-93-3

Supervisor Maher, seconded by Supervisor Hsieh, moved to amend rebuttal argument, line 4, after "taxpayers"." by adding "The Superior Court has held that"; amend line 6, after "bargaining." by deleting "This has been upheld by the Superior Court."; amend line eight, by inserting "Under the Superior Court's ruling," before "Agreements".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition K, charter amendment relating to creation of an Ethics Commission. (Supervisors Shelley, Alioto)

File 255-93-3

Supervisor Shelley, seconded by Supervisor Maher, moved to amend rebuttal argument, lines 14 through 18, by deleting and replacing it with "Proposition K will advance ethical government by ensuring the strictest standards are followed. Proposition K will give San Francisco the strongest ethics laws."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Adopted

[Ballot Argument]
Motion authorizing rebuttal to opponent's ballot argument against Proposition M, charter amendment relating to creation of a Department of Transportation. (Supervisor Migden)

File 250-93-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

CONSENT CALENDAR

Severed from Consent Calendar

At the request of Supervisor Kennedy the following measure was severed from the Consent Calendar and considered separately.

Recommendation of Housing and Land Use Committee

Finally Passed

[Zoning Map Change 92.258Z]
Ordinance adopting changes in use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located on the west side of Ceres Street, 100 feet north of Williams Avenue in Assessor's Block 5409, Lots 10 and 11 from an RH-1 (House, One-Family) District to an RH-2 (House, Two-Family) District; and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

File 36-93-2, Ordinance No. 277-93

(Exempt from Environmental Review as a General Rule Exclusion under Section 15361(b)(3) of CEQA Guidelines.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Maher, Shelley - 7.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Conroy, Leal, Migden - 3.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport - Concession Agreement]
Ordinance approving the "Concession Agreement for Operation of Automobile Rental Services" between Alamo Rent-A-Car, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airports Commission)

File 27-93-14, Ordinance No.

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Michael and Ronayne Shaw v. City and County, a Municipal Corporation; Fred Jordan, Chief Juvenile Probation Officer; Nehemiah Mead, Director o the Juvenile Hall; San Francisco Juvenile Probation Commission; San Francisco Unified School District, a Local Public School District, and does 1 through 20 inclusive, including payment of attorney's fe and costs in the amount of $344,930. (City Attorney)

File 45-93-51, Ordinance No.

(Superior Court No. 915763.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Lena Flatley against the City and County by payment of $87,500. (City Attorney)

File 45-93-52, Ordinance No.

(Superior Court No. 932-552.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Billie Zinser against the City and County by payment of $87,500. (City Attorney)

File 45-93-53, Ordinance No.

(Superior Court No. 942-479.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Kai Ali and Kevin Smith against the City and County, et al. (City Attorney)

File 45-93-56, Ordinance No.

(Superior Court No. 941-911.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Claire Magaera against the City and County by payment of $11,342. (City Attorney)

File 45-93-57, Ordinance No.

(Superior Court No. 049-528.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of City and County v. Richard Alan Cazen, Patrick Yu, et al., upon receipt of the sum of $14,319 with a compromise and release and dismissal of complaint. (City Attorney)

File 46-93-12, Ordinance No.

(Master Consolidated No. C 81 4365 DLJ and C 89 3603 DLJ.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Southern Pacific Transportation Company in the sum $434,011 to be paid in four equal installments over two years. (City Attorney)

File 46-93-13, Ordinance No.

(Municipal Court No. 050442.)

Passed for second reading.

Adopted

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Frank Schlessinger by payment of $7,500. (City Attorney)

File 48-93-19, Resolution No. 660-93

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Robert Bierwith by payment of $20,000. (City Attorney)

File 48-93-21, Resolution No. 661-93

Adopted.

[Extension and Renewal of Existing Real Property Lease]
Resolution authorizing renewals and extensions of certain existing leases of real property required by the Department of Public Health. (Real Estate Department)

File 64-93-19, Resolution No. 664-93

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of Classification 6141 Manager, Health and Safety in the State Disability Insurance Program. (Employee Relations Division)

File 89-93-7, Resolution No. 669-93

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to apply for, accept and expend retroactively a grant of $706,188, which includes indirect costs in the amount of $8,674 based on twenty percent of personnel costs, from the Centers for Disease Control for family planning and HIV research and development services for women; providing for ratification of action already taken. (Department of Public Health)

File 146-93-36, Resolution No.674-93

Adopted.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Special Programs for Youth, as a sub-grantee, in collaboration with the Northern California Pediatric AIDS Treatment Center as prime grantee, to accept and expend an allocation of $148,143, which includes indirect costs in the amount of $19,060 based on thirteen percent of the total award, from the National Institute of Health, National Institute of Allergy and Infectious Disease, for establishing clinical trial subunits and health services for youth. (Department of Public Health)

File 146-93-37, Resolution No. 675-93

Adopted.

[Allocation - State Funds]
Resolution authorizing the Department of Public Health, Bureau of Toxics, Health and Safety Services, to accept and expend an allocation of up to $450,000, which includes indirect costs in the amount of $55,608 based on twenty percent of salaries, from the State Water Resource Control Board, Division of Clean Water Programs, for local oversight of cleanup activities at leaking underground storage tank sites funded by grant funds to establish and finance civil service positions for the provision of these services, and to authorize the Director of Health to execute State Water Resources Control Board contract on behalf of the City and County, which contract provides that the City shall indemnify, defend and hold the State harmless from any and all claims, losses and damages accruing or resulting in connection with the City's performance of the contract, providing for ratification of action previously taken. (Department of Public Health)

File 146-93-39, Resolution No. 677-93

Adopted.

Recommendations of Housing and Land Use Committee

Finally Passed

[Street Acceptance]
Ordinance accepting roadways, including curbs, of three dedicated public streets in the South Beach Marina Development Project Area. (Department of Public Works)

File 35-93-2, Ordinance No. 275-93

Finally passed.

[Zoning Map Change]
Ordinance adopting changes in the property use classification as an amendment of the Zoning Map of the City and County of San Francisco of property located at 4139-47 19th Street, Lots 31 and 32, Assessor's Block 2696 from an RH-3 District to an NC-1 District; and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 36-93-1. (Department of City Planning)

File 36-93-1.1, Ordinance No. 276-93

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher - 7.

Absent: Supervisors Conroy, Leal, Migden, Shelley - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Consideration Continued

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Section 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment effective July 1, 1993 for gardener and inspector classifications.

File 106-93-3, Ordinance No.

(August 2, 1993 - Finally Passed.
August 12, 1993 - Returned to Board by Mayor, disapproval.
August 16, 1993 - Consideration continued to August 23, 1993.)

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue consideration to August 30, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

From the Clerk

(Supervisor Bierman was absent for the public hearing.)

Adopted

[Findings]
Motion adopting findings related to the appeal of the City Planning Commission's approval of Conditional Use Application No. 93.165C, subject to certain conditions, which authorized the establishment of a residential board and care substance abuse recovery program for up to fourteen adult females, within an existing building located at 2161 Sutter Street in an NC-2 (Small-scale Neighborhood Commercial) District; making Prop M findings.

File 37-93-5.4

Supervisor Bierman Excused from Voting

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to excuse Supervisor Bierman from voting:

Motion to excuse Supervisor Bierman from voting adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher - 7.

Absent: Supervisors Conroy, Leal, Migden, Shelley - 4.

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kaufman, Kennedy, Maher, Shelley - 6.

Excused: Supervisor Bierman - 1.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Conroy, Leal, Migden - 3.

Recommendation of Economic Vitality and Social Policy Committee

Adopted

[Levon Hagop Nishkian]
Resolution memorializing his Honor, the Mayor, to urge the Port Commission and the Chief Administrative Officer, through the Department of Public Works, to officially designate the drawbridge spanning Islais Creek Channel as the "Levon Hagop Nishkian" bridge. (Supervisors Kaufman, Bierman)

File 215-93-2, Resolution No. 691-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

NEW BUSINESS

Recommendation of Budget Committee

Adopted

[Acquisition of Subsurface Easements]
Resolution authorizing the acquisition of two permanent subsurface easements at 17 and 19 Alta Street, Assessor's Block 106, Lots 24 and 40, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 82-93-5, Resolution No. 667-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Civic Center Plaza Garage]
Ordinance terminating the lease between the City and County of San Francisco and the City of San Francisco Civic Plaza Parking Corporation after 10 days notice, and authorizing the Executive Director of the Department of Parking and Traffic to enter into an interim, month-to-month agreement with System Parking Co., for operation of the Civic Center Garage pending completion of competitive bidding procedure. (Department of Parking and Traffic)

File 47-93-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Memberships - Library]
Ordinance amending Administrative Code, to authorize the San Francisco Public Library to join the Bay Area Library and Information Network ("Baynet"). (Public Library)

File 97-93-41, Ordinance No.

(Adds Section 16.6-17.2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Equipment Inventories and Gifts of Equipment]
Ordinance amending Administrative Code, relating to maintenance of equipment inventories and acceptance of gifts of equipment. (Purchasing Department)

File 97-93-43, Ordinance No.

(Amends Sections 21.29 through 21.33, and 10.116-2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Consideration Continued as Amended

[Housing Code]
Ordinance amending Housing Code, to establish citation authority for enforcement of the Housing Code providing that such citations shall not issue until an abatement hearing by the Director of Public Works is held and further providing that the Director of Public Works shall report to the Board of Supervisors six months from the effective date of this amendment the implementation of such citation power. (Supervisor Kaufman)

File 125-93-1, Ordinance No.

(Amends Section 204.)

Supervisor Kaufman, seconded by Supervisor Hsieh, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Supervisor Kaufman, seconded by Supervisor Hsieh, moved to continue consideration, as amended, to August 30, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Referred to Budget Committee

[San Francisco Zoo Lease and Management Agreement]
Ordinance approving the form of a San Francisco Zoo Lease and Management Agreement and authorizing the General Manager of the Recreation and Park Department to execute such zoo lease and management agreement on behalf of the City and County of San Francisco; approving an indemnification by the City and County of San Francisco of the San Francisco Zoological Society contained in such zoo lease and management agreement; and declaring intention of the Board of Supervisors to fund such zoo lease and management agreement separately from the Recreation and Park Department budget. (Recreation and Park Department)

File 172-93-30, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Migden, moved to refer to Budget Committee with direction to report back to the Board of Supervisors on August 30, 1993.

Motion to refer to Budget Committee adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Passed for Second Reading

[Union Square Tour Bus Permit]
Ordinance approving Union Square Tour Bus permit bidding documents and authorizing Director of Property to request bids for permit using those documents. (Real Estate Department)

File 190-93-8, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Adopted

[Demonstration County Alcohol and Drug Program Plan]
Resolution approving retroactively an addendum to the San Francisco Demonstration County Alcohol and Drug Program Plan which adds the HIV/AIDS Outreach Grant Program as administered by the Department of Public Health, Division of Mental Health and Substance Abuse Services, for submission to the State of California, Department of Alcohol and Drug Programs; authorizing and directing the President of the Board to sign said addendum. (Department of Public Health)

File 30-93-6.1, Resolution No. 658-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Consideration Continued

[Employee Claims]
Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty. (Budget Committee)

File 51-93-2.1, Resolution No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to August 30, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Adopted

[Lease and Joint Use Agreement]
Resolution authorizing a lease and joint agreement of real property at 1380 Howard Street, portion of ground floor, warehouse and loading dock, for the Department of Public Health. (Real Estate Department)

File 64-93-17, Resolution No. 663-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Extension of Existing Real Property Leases]
Resolution authorizing retroactively, extension of three certain existing leases of real property for the San Francisco Public Library. (Real Estate Department)

File 64-93-21, Resolution No. 665-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Extension and Renewal of Existing Real Property Lease]
Resolution authorizing retroactively, renewals and extensions of six certain existing leases of real property required by the Department of Public Health, Sheriff, Public Utilities Commission, Department of Public Works and District Attorney. (Real Estate Department)

File 64-93-22, Resolution No. 666-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Memorandum of Understanding - Agreement to Extend]
Resolution ratifying agreement to extend Memorandum of Understanding with the San Francisco Interns and Residents Association. (Employee Relations Division)

File 93-93-9, Resolution No. 671-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Grant - Federal Funds]
Resolution authorizing the Chief Adult Probation Officer to apply for, retroactively, accept and expend funds in the amount of $1,048,314 not including estimated indirect costs of $52,416 which will be added to the grant budget upon award of grant by the federal agency, made available through the Center for Substance Abuse Treatment for a project entitled "P.O.W.E.R. - Probation Officers Working to End Recidivism", placing $120,965 on reserve. (Adult Probation Department)

File 130-93-3, Resolution No. 673-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuing allocation of $747,699, from the California Department of Health Services, Office of AIDS, to continue funding the Ryan White Comprehensive Aids Resources Emergency (CARE Title II) Disaster Relief Project; waiving indirect costs and providing ratification of action previously taken; placing $204,000 on reserve. (Department of Public Health)

File 146-93-38, Resolution No. 676-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Community Health Services, Family Health Bureau, to apply for retroactively, accept and expend a grant of $1.5 million, which includes indirect costs in the amount of $97,766 based on ten percent of personnel costs, from the State Department of Health Services for WIC services and granting the Director of Health the authority to sign any subsequent amendments up to $1,500,000 during the contract period; providing for ratification of action previously taken. (Department of Public Health)

File 146-93-40, Resolution No. 678-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Grant - Federal Funds]
Resolution authorizing the Recreation and Park Department to apply retroactively for grant funds in an amount not to exceed $1,000,000,

from the Intermodal Surface Transportation Efficiency Act, for the renovation of irrigation and landscaping systems along Crossover Drive and Park Presidio by-pass in Golden Gate Park; waiving indirect costs. (Recreation and Park Department)

File 150-93-3, Resolution No. 679-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Grant Funds]
Resolution authorizing the Sheriff's Department to apply retroactively, for a grant up to the amount of $667,379 which includes indirect costs, in the amount of $48,310 based on 8 percent of award less the Evaluation Program subcontract indirect costs; to fund the Sister Project, a comprehensive treatment program for female inmates with serious substance abuse problems. (Sheriff)

File 152-93-4, Resolution No. 680-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Contract]
Resolution authorizing retroactively, the Department of Social Services to execute a hold harmless agreement with the State Department of Social Services for the State pass-through of a wage supplement to selected individual providers of In-Home Supportive Services for the period of August 1, 1993 through September 30, 1993, for the purposes of assuring cultural, ethnic and language oriented services through community based organizations. (Department of Social Services)

File 172-93-29, Resolution No. 682-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

[Grand Jury]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1992-93 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to Financial Disclosure Statements for Aides to Supervisors and Consolidation of the Redevelopment Agency, Housing Authority, Community Development and Economic Planning and Development. (Government Efficiency and Labor Committee)

File 39-93-1.5

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Recommendation of Housing and Land Use Committee

Adopted

[Building Code]
Resolution endorsing those changes and providing findings as to the local conditions requiring changes to the San Francisco additions to the State Building Code for buildings, as required by California Health and Safety Code. (Housing and Land Use Committee)

File 114-93-5.2, Resolution No. 672-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Passed for Second Reading

[Building Code]
Ordinance amending Building Code by amending Section 203(c) to provide that the notice of hearing to be posted shall include the list of building code violations and that it shall make reference to the penalties for violation prescribed in Section 205 of the Building Code; companion measure to File 114-93-5.2. (Supervisor Bierman)

File 114-93-5.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Adopted as Amended

[Terminal Separator]
Resolution requesting California Department of Transportation (Caltrans) to cooperate with the City and County of San Francisco in the formal examination of alternative replacement designs for the terminal separator freeway facility and requesting city staff to undertake certain tasks pursuant to that request; requesting the Environmental Review Officer to consider the demonstrated negative environmental impacts of Alternative 2 on the South Beach residential neighborhood; opposing any effort of Caltrans to rebuild the terminal separator until the environmental review is completed or to remove funding for this project; requesting CALTRANS to make funding available immediately for a transportation analysis; and urging the Mayor to ((urge the Department of Parking and Traffic to)) establish a Citizens Advisory Committee and requesting report from Chief Administrative Officer. (Supervisors Maher, Bierman, Leal)

File 85-93-1, Resolution No. 668-93

Supervisor Maher, seconded by Supervisor Hsieh, moved to amend page three, starting with line 13, by changing the last "Further Resolved" clause to read as follows: "Further Resolved, That the Board of Supervisors urges the Mayor to establish a citizen advisory committee with representatives of the merchants associations of Chinatown, Fisherman's Wharf, North Beach, Marina and Downtown, as well as community representatives to work with the Department of Parking and Traffic as it relates to matters within the jurisdiction of the Department of Parking and Traffic".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Conroy, Kaufman, Leal, Migden, Shelley - 5.

Supervisor Hallinan, seconded by Supervisor Maher, moved to amend page three by adding a new "Further Resolved" clause as follows: "Further Resolved, That the Chief Administrative Officer is requested to report on the status of this resolution four months after securing funding but not later than February 23, 1994.".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Conroy, Kaufman, Leal, Migden - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Conroy, Kaufman, Leal, Migden - 4.

[Landmark]
((Resolution designating the George Gibbs Residence and Caretaker's Cottage at 2622-24 Jackson Street and 2629 1/2 Pacific Avenue as landmarks pursuant to Article 10 of the City Planning Code.))
(Department of City Planning)

Resolution designating the George Gibbs Residence and Caretaker's Cottage at 2620-2624 Jackson Street as landmarks pursuant to Article 10 of the City Planning Code.

File 90-93-3, Resolution No. 670-93

Supervisor Bierman, seconded by Supervisor Hsieh, moved to amend address by replacing "2622-24" with "2620-2624" and by deleting "2629 1/2 Pacific Avenue" wherever it appears in the legislation.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Conroy, Kaufman, Leal, Migden, Shelley - 5.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Conroy, Kaufman, Leal, Migden, Shelley - 5.

From the President

Report Received; Consideration Continued

Report by Private Industry Council on the number and types of programs funded over the past five years. (Supervisor Kennedy)

File 156-93-2

The Director of the Private Industry Council appeared and gave a brief presentation, indicating a complete report should be available by October.

Thereupon, Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to October 18, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Conroy, Kaufman, Leal, Migden, Shelley - 5.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider ordinance amending Municipal Code, Part III, to create increased and graduated tax rates for businesses with total payroll expenses in excess of $500,000; to impose an additional business tax on gross receipts exceeding specified amounts. (Supervisor Hallinan)

File 127-93-15

(August 16, 1993 - First public hearing held.)

The privilege of the floor was granted to the following persons:

Anthony Prudon;
Robin Bradford;
Sonya;
Dehnert Queen;
Jonathan Bradford;
Ann Walsh;
Bob Davis;
Leland Abram;
Tom;
Jane Doe;
Ray;
Josephine;
Jane Doe.

Called from Budget Committee
by Supervisor Hallinan

Tabled

[Payroll Expense and Business Tax Increases]
Ordinance amending Municipal Code, Part III, to create increased and graduated tax rates for businesses with total payroll expenses in excess of $500,000; to impose an additional business tax on gross receipts exceeding specified amounts. (Supervisor Hallinan)

File 127-93-15, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue consideration to November 8, 1993.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Bierman, Hallinan - 2.

Noes: Supervisors Alioto, Hsieh, Kaufman, Kennedy, Maher, Shelley - 6.

Absent: Supervisors Conroy, Leal, Migden - 3.

Supervisor Hallinan, seconded by Supervisor Maher, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

SPECIAL ORDER - 3:00 P.M.

[Public Hearing]
Hearing of objections to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed at various locations by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a Revolving Fund.

File 41-93-1

The privilege of the floor was granted to the following:

Dehnert Queen;
Taramk Patel.

From Department of Public Works

Question Divided; Amended; Adopted as Amended

[Assessment Costs - Sidewalk and Curb Repairs]
Resolution confirming report of assessment costs as amended submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed at various locations by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a Revolving Fund.

File 41-93-1, Resolution No. 659-93

(((825 Polk Street	$3,065.99))
((606 Buchanan	181.62))
602-0 Buchanan	414.60
600-1 Fillmore Street	768.08
((176-7 Page Street	783.75))
450-5 Page Street	180.27
((330-3 Pierce Street	243.63))
955 Oak Street	642.68
608 Haight Street	410.30
325-2 Fillmore Street	232.25
((500-3 Haight Street	3,775.07))
((547 Page Street	55.00))
1270 47th Avenue	133.24
((1285 45th Avenue	450.59))
4326 Irving Street	1,029.33
1263 34th Avenue	465.03
((1418 47th Avenue	431.07))
439 Guerrero Street	223.11)

At the request of Supervisors Hallinan and Maher, the question was divided with respect to the property at 825 Polk Street, so the matter could be considered separately.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to amend the report by deleting seven properties as follows: 606 Buchanan Street; 176-7 Page Street; 330-3 Pierce Street; 500-3 Haight Street; 547 Page Street; 1285 45th Avenue; 1418 47th Avenue. Amend title, line 1, after "costs" by inserting "as amended" and amend line 14, after "costs" by inserting "as amended and".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

Consideration Continued

[Assessment Costs - Sidewalk and Curb Repairs]
Resolution confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed at 825 Polk Street by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a Revolving Fund.

File 41-93-1.1, Resolution No.

Supervisor Hallinan, seconded by Supervisor Maher, moved to continue consideration, as divided, to September 7, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Leal, Migden - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Pat Montandon; Frances Luster; Shelley Salieri; Dehnert Queen; Garr Tavai-Figtoa; Louise Vaughn.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from Adoption Without Committee Reference Calendar

At the request of Supervisor Hsieh the following measure was severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Immigration Laws]
Resolution urging the United States Government to treat all immigrants in a fair and humane manner and guarantee their rights under International Law and the Refugee Act of 1980 and opposing any changes in existing immigration laws that would restrict immigration or weaken the right to seek asylum and denouncing the rise in anti-immigrant sentiment. (Supervisors Hsieh, Leal, Alioto, Bierman, Kaufman)

File 13-93-28, Resolution No. 692-93

(August 16, 1993 - Introduced in Board for consideration on August 23, 1993.)

Supervisor Hsieh, seconded by Supervisor Maher, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Conroy, Kaufman, Leal, Migden, Shelley - 5.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Conroy, Kaufman, Leal, Migden, Shelley - 5.

In connection with the above item, Supervisors Bierman, Kaufman requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

Adopted

[Commend]
Resolution commending Sam K. Harrison for distinguished service as a member of the San Francisco War Memorial Board of Trustees. (Supervisor Shelley)

File 6-93-20, Resolution No. 657-93

(August 16, 1993 - Introduced in Board for consideration on August 23, 1993.)

Adopted.

[Wastewater Treatment Plants]
Resolution supporting legislation to develop watershed management plans for the efficient, effective, reasonable and equitable control of pollutants discharged to surface waters of the state and encouraging the development of reasonable control measure by other governmental entities for those sources for which cities are not the most appropriate regulators. (Supervisor Kennedy)

File 53-93-2, Resolution No. 662-93

(August 16, 1993 - Introduced in Board for consideration on August 23, 1993.)

Adopted.

[Employment Training]
Resolution supporting the development and implementation of a coordinated strategy to improve employer access to federal, state and local employment training sources. (Supervisor Kennedy)

File 156-93-4, Resolution No. 681-93

(August 16, 1993 - Introduced in Board for consideration on August 23, 1993.)

Adopted.

[Renaming Oceanview Park]
Resolution urging the Mayor to urge the Department of Recreation and Parks to redesignate the current Oceanview Park as the Joseph Gamble Kennedy Park. (Supervisor Alioto)

File 193-93-5, Resolution No. 683-93

(August 16, 1993 - Introduced in Board for consideration on August 23, 1993.)

Adopted.

[Applied Cultural Studies and Educational Achievement]
Resolution supporting the Center for Applied Cultural Studies and Educational Achievement at San Francisco State University for pioneering efforts toward excellence and access in education for African American Students through innovative projects. (Supervisor Kennedy)

File 274-93-4, Resolution No. 684-93

(August 16, 1993 - Introduced in Board for consideration on August 23, 1993.)

Adopted.

[Economic Development]
Resolution supporting economic development by working substantively and collaboratively with existing organizations, including Community College, Western Job Training Partnership Association, California Association for Local Economic Development and California Redevelopment Association. (Supervisor Kennedy)

File 274-93-5, Resolution No. 685-93

(August 16, 1993 - Introduced in Board for consideration on August 23, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Conroy, Kaufman, Leal, Migden, Shelley - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-34, Resolution No. 652-93

(Frank M. Jordan, Mayor, August 19-22; Louise H. Renne, City Attorney, August 20-22; Walter Abernathy, General Manager, Port, August 31-September 8; James Herman, member, Port Commission, August 31-September 8; Ming Chang, member, Port Commission, August 31-September 8; Roger L. Peters, member, Port Commission, August 31-September 8; John F. Deakin, Director, Public Utilities Commission, September 18-22, Doug Johnson, member, Public Utilities Commission, September 18-22; Fred E. Jordan, Jr., Chief Probation Officer, August 18-22; Virginia C. Gee, member, Library Commission, August 9-24; Lucian R. Blazej, Director, Department of City Planning, August 6-15 and September 7-21; Rand Castile, Director, Asian Art Museum, August 5-26; William Breall, M.D., member, Retirement Board, September 27-28; Kieran Murphy, member, Retirement Board, October 25-27; Peter Ashe, member, Retirement Board, September 18-21, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Mobilization for Jobs, Justice and Peace]
Resolution urging the Mayor to join the Board of Supervisors in supporting the National Mobilization for Jobs, Peace and Justice on Saturday, August 28, 1993, which shall commemorate the Thirtieth Anniversary of the Civil Rights March on Washington and urging the Mayor to urge the Department of Recreation and Parks to waive the two hour time limit for sound permits at Civic Center during this event.

File 4-93-22, Resolution No. 653-93

Supervisors Alioto, Kennedy, Bierman, Hallinan, Shelley presented for immediate adoption.

Adopted.

[State Legislation]
Resolution urging the California State Legislature to strongly support the passage of AB 1904 relating to local seismic safety retrofit program.

File 12-93-25, Resolution No. 654-93

Supervisors Hsieh, Alioto presented for immediate adoption.

Adopted.

[State Legislation]
Resolution opposing the most recent changes in Assembly Bill 1888 (which included provisions of SB 919), relating to California Environmental Quality Act.

File 12-93-26, Resolution No. 655-93

Supervisor Kennedy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Conroy, Kaufman, Leal, Migden, Shelley - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Sprinkler Systems, High-rise Buildings]
Substitute ordinance amending Building Code by amending Section 1746 to require installation of automatic sprinkler systems in existing high-rise buildings. (Supervisor Hsieh presented.) Referred to Housing and Land Use Committee.

File 114-91-2

[Residential Energy Conservation, Attic Space]
Draft ordinance amending Housing Code by amending Section 1204 to change the definition of accessible attic space and amending Section 1209 to increase the limit of expenditure for compliance with requirements. (Supervisor Alioto presented.) Referred to Housing and Land Use Committee.

File 125-93-3

[Official Newspaper]
Ordinance amending Administrative Code by amending Section 2.81 to require any bidders for the City's official advertising contract to certify in writing that newspapers will be delivered upon request. (Supervisor Hallinan presented.) Referred to Government Efficiency and Labor Committee.

File 97-93-46

Referred to Board

[Neighborhood Arts]
Resolution acknowledging San Francisco's celebration of twenty-five years of Neighborhood Arts. (Supervisor Bierman presented.) Referred to Board August 30, 1993 For Adoption Without Committee Reference Calendar.

File 6-93-21

[Neighborhood Advisory Committee]
Resolution urging the City Planning Commission to establish a Neighborhood Advisory Committee to work with the Commission and owners and operators of the residential care facility at 212-214 Ashbury Street in ensuring compliance of the facility with the conditions of the conditional use authorization approved by the City Planning Commission by its Motion No. 13540, dated June 24, 1993, authorizing the establishment of a ten-bedroom residential care facility for up to 20 persons in an architecturally significant structure located at 212-214 Ashbury Street, in an RH-2 (Residential, House, Two-family) District. (Supervisor Kaufman presented.) Referred to Board August 30, 1993 For Adoption Without Committee Reference Calendar.

File 37-93-6.4

Referred to Committee

[Official Newspaper]
Resolution designating the San Francisco Independent as an Official Newspaper of the City and County of San Francisco, commencing October 1, 1993, on an interim basis not to exceed three months, for all official advertising of the City and County, which is required by law to be published more than one time but not more than three

times a week. (Supervisor Hallinan presented.) Referred to Government Efficiency and Labor Committee.

File 112-93-2

Requests for Hearings:

File 102-93-3, By Supervisor Hallinan: To consider the process of elimination of civil service security guard positions and their proposed replacement by non-civil service Sheriff's cadets. Referred to Government Efficiency and Labor Committee.

File 171-93-3, By Supervisor Conroy: To consider traffic congestion on Chestnut and Union Streets. Referred to Housing and Land Use Committee.

File 207-93-3.2, By Supervisor Alioto: To consider mandatory direct dial of 911. Referred to Health, Public Safety and Environment Committee.

File 207-93-16, By Supervisor Shelley: To consider the issue of public safety in the areas of Fisherman's Wharf, North Beach, Chinatown, and Bay and Powell Street cable car turnaround (NE corridor). Referred to Health, Public Safety and Environment Committee.

File 299-93-1, By Supervisors Alioto, Conroy: To consider the escape of eleven inmates from the Youth Guidance Center (on August 20, 1993). Referred to Health, Public Safety and Environment Committee.

File 299-93-2, By Supervisor Shelley: To consider the safety conditions at Juvenile Hall and to conduct a review of the Juvenile Justice System. Referred to Health, Public Safety and Environment Committee.

Motions

Referred to Board

File 30-93-5.12 [Needle Exchange] Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto presented.) Referred to Board August 30, 1993 For Adoption Without Committee Reference Calendar.

Introduced by the President at the Request of Departments

Ordinance Referred to Committee

File 45-93-58. [Settlement of Lawsuit] Authorizing settlement of litigation of Cheryl Nichols against the City and County of San Francisco by payment of $15,000. (City Attorney) Government Efficiency and Labor

Resolutions Referred to Committee

File 25-93-21. [Contracting Out City Services] Concurring with the Controller's certification that security services can be practically performed for the Central Shop by private contractor for lower cost than similar services performed by City and County employees. (Purchasing Department) Government Efficiency and Labor

File 25-93-22. [Contracting Out City Services] Approving the Controller's certification that parking management services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the year commencing July 1, 1993 than if work were performed by City and County employees at presently budgeted levels. (Airports Commission) Government Efficiency and Labor

File 38-93-8. [Gift Acceptance] Accepting gift of steam cleaner, valued at approximately $30,000, for the Department of Public Works, Bureau of Street Environmental Services, from Neighbors for Neighborhoods. (Department of Public Works) Government Efficiency and Labor

File 61-93-5. [Contracting Award Extension of Time] Granting extension of time for award of San Francisco Water Department Contract No. WD-2064R, 36-inch steel main installation in Dolores Street between San Jose and 25th Streets, 25th Street between Dolores and Sanchez Streets, Sanchez Street between 25th and 22nd Streets and 22nd Street between Sanchez and Castro Streets. (Public Utilities Commission) Government Efficiency and Labor

File 146-93-42. [Grant - Federal through the State Funds] Authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for, accept and expend a grant of $945,333, which includes indirect costs in the amount of $98,814, based on twelve percent of salaries and an allocated City and County of San Francisco Interagency Housing Group match in the amount of $315,115, which is twenty-five percent of the direct costs, from the United States Department of Housing and Urban Development for a mobile crisis team to serve homeless and formerly San Franciscans; providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 146-93-43. [Grant - State Funds] Authorizing the Department of Health, Family Health Bureau, Dental Bureau, to accept and expend a continuation grant of $12,708 which includes indirect costs in the amount of $1,200, based on fifteen percent of salaries from the State Department of Health Services, Dental Section, for dental health education in San Francisco elementary schools; providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 146-93-44. [Grant - Federal Funds] Authorizing the Department of Health, Community Health Services, Family Health Bureau, to apply for retroactively, accept and expend a grant augmentation of $21,052, which includes administrative costs in the amount of

$190,00, from the California Family Planning Council, Inc., for the increase in based funding level to provide family planning medical services; providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 148-93-6. [Grant - Federal Funds] Authorizing the Director of Public Works to apply for, accept and expend Federal funds in the amount of $7,307,800 for pavement renovation of various streets foregoing reimbursement of indirect costs. (Department of Public Works) Government Efficiency and Labor

File 148-93-7. [Grant - State Funds] Authorizing the Director of Public Works to execute the necessary documents to apply for, accept and expend $200,000 of Transportation Development Act (TDA) Article 3 funds for the construction of curb ramps. (Department of Public Works) Government Efficiency and Labor

File 150-93-4. [Grant - Federal Funds] Authorizing the Recreation and Park Department to apply for grant funds in the amount of $476,000, from the Intermodal Surface Transportation Efficiency Act, for the renovation of the Civic Center Plaza Pedestrian Walkway; waiving indirect costs. (Recreation and Park Department) Government Efficiency and Labor

File 168-93-3. [Acquisition of Property] Authorizing acquisition of real property identified as City and County of San Francisco (Bonview Street), Assessor's Block 5614, Lots 47 through 50 for open space purposes - $435,000; and adopting finding pursuant to City Planning Code Section 101.1. (Real Estate Department) Budget

File 199-93-1. [Jurisdictional Transfer] Transferring jurisdiction of Lot 5 in Assessor's Block 766 (former Traffic Engineering Building at 460 McAllister Street) from the Retirement System to the Real Estate Department; and adopting finding pursuant to City Planning Code Section 101.1. (Real Estate Department) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that letter of inquiry be sent to Juvenile Probation Officer to determine the status and whereabouts of the seven year old boy who allegedly caused the fire at Geneva Towers on August 14, 1993.

By Supervisor Alioto, that City Attorney prepare ordinance which would mandate direct dial of 911. File 207-93-3.1.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Jerry Eugene Butler (By the entire Board)
Nolan Randall (Supervisor Alioto)
Kathie Nash Baker (Supervisor Alioto)

File 2-93-34

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:19 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 10, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Vol. 88 No. 35

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Monday, August 30, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 30, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:17 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Shelley - 7.

Noted absent at first roll call:

Supervisors Hsieh, Kennedy, Leal, Migden - 4.

Quorum present.

Supervisor Hsieh was noted present at 2:23 p.m.

Supervisor Kennedy was noted present at 2:32 p.m.

Supervisor Leal excused, on official leave of absence.

Supervisor Migden excused, on official leave of absence.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Hallinan, moved that the Journals of Proceedings for Monday, March 1, and March 8, 1993, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Shelley - 7.

Absent: Supervisors Hsieh, Kennedy, Leal, Migden - 4.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport - Concession Agreement]
Ordinance approving the "Concession Agreement for Operation of Automobile Rental Services" between Alamo Rent-A-Car, Inc., and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission)

File 27-93-14, Ordinance No. 291-93

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Michael and Ronayne Shaw v. City and County, a Municipal Corporation; Fred Jordan, Chief Juvenile Probation Officer; Nehemiah Mead, Director of the Juvenile Hall; San Francisco Juvenile Probation Commission; San Francisco Unified School District, a Local Public School District, and does 1 through 20 inclusive, including payment of attorney's fee and costs in the amount of $344,930. (City Attorney)

File 45-93-51, Ordinance No. 279-93

(Superior Court No. 915763.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Lena Flatley against the City and County by payment of $87,500. (City Attorney)

File 45-93-52, Ordinance No. 280-93

(Superior Court No. 932-552.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Billie Zinser against the City and County by payment of $87,500. (City Attorney)

File 45-93-53, Ordinance No. 281-93

(Superior Court No. 942-479.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Kai Ali and Kevin Smith against the City and County, et al. (City Attorney)

File 45-93-56, Ordinance No. 282-93

(Superior Court No. 941-911.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Claire Magaera against the City and County by payment of $11,342. (City Attorney)

File 45-93-57, Ordinance No. 283-93

(Superior Court No. 049-528.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of City and County v. Richard Alan Cazen, Patrick Yu, et al., upon receipt of the sum of $14,319 with a compromise and release and dismissal of complaint. (City Attorney)

File 46-93-12, Ordinance No. 284-93

(Municipal Court No. 050442.)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Southern Pacific Transportation Company in the sum $434,011 to be paid in four equal installments over two years. (City Attorney)

File 46-93-13, Ordinance No. 285-93

(Master Consolidated No. C 81 4365 DLJ and C 89 3603 DLJ.)

Finally passed.

[Civic Center Plaza Garage]
Ordinance terminating the lease between the City and County of San Francisco and the City of San Francisco Civic Plaza Parking Corporation after 10 days notice, and authorizing the Executive Director of the Department of Parking and Traffic to enter into an interim, month-to-month agreement with System Parking Co., for

operation of the Civic Center Garage pending completion of competitive bidding procedure. (Department of Parking and Traffic)

File 47-93-6, Ordinance No. 286-93

Finally passed.

[Memberships - Library]
Ordinance amending Administrative Code, to authorize the San Francisco Public Library to join the Bay Area Library and Information Network ("Baynet"). (Public Library)

File 97-93-41, Ordinance No. 287-93

(Adds Section 16.6-17.2.)

Finally passed.

[Equipment Inventories and Gifts of Equipment]
Ordinance amending Administrative Code, relating to maintenance of equipment inventories and acceptance of gifts of equipment. (Purchasing Department)

File 97-93-43, Ordinance No. 288-93

(Amends Sections 21.29 through 21.33, and 10.116-2.)

Finally passed.

[Union Square Tour Bus Permit]
Ordinance approving Union Square Tour Bus permit bidding documents and authorizing Director of Property to request bids for permit using those documents. (Real Estate Department)

File 190-93-8, Ordinance No. 290-93

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Building Code]
Ordinance amending Building Code by amending Section 203(c) to provide that the notice of hearing to be posted shall include the list of building code violations and that it shall make reference to the penalties for violation prescribed in Section 205 of the Building Code. (Supervisor Bierman)

File 114-93-5.1, Ordinance No. 289-93

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Shelley - 7.

Absent: Supervisors Hsieh, Kennedy, Leal, Migden - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Consideration Continued

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Section 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment effective July 1, 1993 for gardener and inspector classifications.

File 106-93-3, Ordinance No.

(August 2, 1993 - Finally Passed.
August 12, 1993 - Returned to Board by Mayor, disapproved.
August 23, 1993 - Consideration continued to August 30, 1993.)

Supervisor Hallinan, seconded by Supervisor Maher, moved to continue consideration to September 7, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Shelley - 7.

Absent: Supervisors Hsieh, Kennedy, Leal, Migden - 4.

Recommendation of Budget Committee

Consideration Continued

(Supervisor Hsieh dissenting in Committee.)

[Parking Tax]
Ordinance amending Part III, Municipal Code, to terminate the suspension of one-half of the ten percent parking tax surcharge and to require monthly prepayments of the parking tax; effective October 1, 1993. (Supervisor Migden)

File 127-93-8, Ordinance No.

(Repeals Section 602.5-2;
Amends Sections 608, 609 and 610.)

Supervisor Conroy, seconded by Supervisor Kaufman, moved to continue consideration to September 13, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Shelley - 7.

Absent: Supervisors Hsieh, Kennedy, Leal, Migden - 4.

From Budget and Housing and Land Use Committees
Without Recommendation

Passed for Second Reading

[Street Vacation]
Ordinance ordering vacation and sale of a portion of Yosemite Avenue, south of Williams Avenue and a portion of Armstrong Avenue, east of Newhall Street and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 164-93-1.1, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Shelley - 7.

Absent: Supervisors Hsieh, Kennedy, Leal, Migden - 4.

Recommendations of Economic Vitality and Social Policy Committee

Consideration Continued

[African-American Population]
Resolution urging the Mayor to join the Board of Supervisors in declaring the commitment of the City and County to the existence of a viable African American community in San Francisco; creating a task force on African American participation to recommend initiatives for implementing a strategic plan for the African

American community, including funding and implementation of strategies for the economic development district in the Western Addition, and requesting a report from the task force, within ninety days, on first implementation steps. (Supervisors Alioto, Kennedy)

File 174-93-7, Resolution No.

Supervisor Maher, seconded by Supervisor Kaufman, moved to continue consideration to September 13, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Shelley - 7.

Absent: Supervisors Hsieh, Kennedy, Leal, Migden - 4.

Recommendations of Government Efficiency and Labor Committee

Tabled

[Housing Code]
Ordinance amending Housing Code, to establish citation authority for enforcement of the Housing Code providing that such citations shall not issue until an abatement hearing by the Director of Public Works is held and further providing that the Director of Public Works shall report to the Board of Supervisors six months from the effective date of this amendment the implementation of such citation power. (Supervisor Kaufman)

File 125-93-1, Ordinance No.

(Amends Section 204.)

Supervisor Kaufman, seconded by Supervisor Maher, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Shelley - 7.

Absent: Supervisors Hsieh, Kennedy, Leal, Migden - 4.

Adopted

[Employee Claims]
Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty. (Government Efficiency and Labor Committee)

File 51-93-2, Resolution No. 701-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Leal, Migden - 2.

From the President

Passed for Second Reading as Amended

[San Francisco Zoo Lease and Management Agreement] Ordinance approving the form of a San Francisco Zoo Lease and Management Agreement, as amended and authorizing the General Manager of the Recreation and Park Department to execute such Zoo Lease and Management Agreement on behalf of the City and County of San Francisco; approving an indemnification by the City and County of San Francisco of the San Francisco Zoological Society contained in such zoo lease and management agreement; and declaring intention of the Board of Supervisors to fund such zoo lease and management agreement separately from the Recreation and Park Department budget. (Recreation and Park Department)

File 172-93-30, Ordinance No.

(August 23, 1993 - Referred to Budget Committee with direction to report back August 30, 1993.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to amend page 42 of the San Francisco Zoo Lease and Management Agreement, dated July 1, 1993, by adding a new section as follows:

"30.20 Additional Attachments. The following documents are hereby collectively attached hereto as Exhibit H: (a) San Francisco Zoological Gardens Animal Inventory; (b) San Francisco Zoological Gardens Physical Facilities; (c) San Francisco Zoological Gardens Facilities Pre-Existing Conditions per City and County of San Francisco CAMS Facility Condition Monitoring; and (d) Letter of interpretation concerning Section 14.2 above. City and SFZS agree that these additional attachments are for illustrative purposes only, and shall not be legally conclusive or binding with respect to the matters covered by them."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Leal, Migden - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Noes: Supervisor Kennedy - 1.

Absent: Supervisors Leal, Migden - 2.

NEW BUSINESS

Recommendation of Budget Committee

Passed for Second Reading

[Right of Way Agreement]
Ordinance authorizing conveyance of a pipeline easement to Unocal California Pipeline Company over City-owned property in Kern County. (Real Estate Department)

File 82-93-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Leal, Migden - 2.

From Government Efficiency and Labor Committee
Without Recommendation

Consideration Continued

[Contracting Out City Services]
Resolution concurring with the Controller's certification that Senior Transportation/Escort Services can be practically performed for the Commission on the Aging by a private contractor for a lower cost than similar services performed by City and County employees. (Commission on the Aging)

File 25-93-20, Resolution No.

Supervisor Bierman, seconded by Supervisor Kaufman, moved to continue consideration to September 7, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Shelley - 7.

Absent: Supervisors Hsieh, Kennedy, Leal, Migden - 4.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing on objections to request of Director of Public Health that delinquent garbage collection service fees and nuisance removal costs be made a special assessment against certain parcels of real property at which service was rendered, and for which the fees were paid by the City and County.

File 14-93-1

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

From Department of Public Health

Adopted

[Garbage Liens]
Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 14-93-1, Resolution No. 704-93

A representative from the Department of Public Health submitted a list of 27 individuals who appeared earlier (copy of which is contained in the office of the Clerk of the Board). He asked that the property located at 6233 Third Street also be removed from the report for further investigation by the Department.

Thereupon, Supervisor Kaufman, seconded by Supervisor Maher, moved to amend the report by adopting the updated list and by deleting 6233 Third Street.

Motion to amend report adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Leal, Migden - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Leal, Migden - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing of objections to report of delinquent hazardous materials fee costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessment and liens based thereon.

File 41-93-2

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

From Department of Public Health

Adopted

[Hazardous Materials Fee and Penalty Liens]
Resolution confirming report of delinquent hazardous materials fee costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessment and liens based thereon.

File 41-93-2, Resolution No. 703-93

(1555 Yosemite Avenue	$ 116.74
((1995 Oakdale Avenue	154.12))
1275 Connecticut Street	152.60.)

A representative from the Department of Public Health submitted an updated report for the Board to adopt, which deleted 1995 Oakdale Avenue from the list (copy of which is contained in the office of the Clerk of the Board).

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Leal, Migden - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of objections to the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 41-93-3

The President inquired if there was anyone present desiring to speak.

There being no response, the President declared the hearing closed.

From Department of Public Health

Adopted

[Reinspection Fee Liens]
Resolution confirming report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 41-93-3, Resolution No. 702-93

A representative from the Department of Public Health submitted an updated report concerning property at 48 Craggs Court, 59 Mars Street and 4525-27 Irving Street and requested the Board adopt the report as amended (copy of which is contained in the office of the Clerk of the Board).

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Leal, Migden - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Virginia Conroy;
Margaret Verges;
Elizabeth Kirchner;
R. J. Hampton;
Cathy Perry;

Bob Comstock;
G. G. Gordan, Jr.;
Karen Masonheimer;
Rodney Telmadge;
Espanola Jackson;
John Fry.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Neighborhood Arts]
Resolution acknowledging San Francisco's celebration of twenty-five years of Neighborhood Arts. (Supervisor Bierman)

File 6-93-21, Resolution No. 705-93

(August 23, 1993 - Introduced in Board for consideration on August 30, 1993.)

Adopted.

[Neighborhood Advisory Committee]
Resolution urging the City Planning Commission to establish a Neighborhood Advisory Committee to work with the Commission and owners and operators of the residential care facility at 212-214 Ashbury Street in ensuring compliance of the facility with the conditions of the conditional use authorization approved by the City Planning Commission by its Motion No. 13540, dated June 24, 1993, authorizing the establishment of a ten-bedroom residential care facility for up to 20 persons in an architecturally significant structure located at 212-214 Ashbury Street, in an RH-2 (Residential, House, Two-family) District. (Supervisor Kaufman)

File 37-93-6.4, Resolution No. 706-93

(August 23, 1993 - Introduced in Board for consideration on August 30, 1993.)

Adopted.

[Needle Exchange]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto)

File 30-93-5.12

(August 23, 1993 - Introduced in Board for consideration on August 30, 1993.)

Adopted.

[Residential/Commercial Condominium Project]
Motion approving final map of 1377 Post Street, 1388 Gough Street, 1399A, 1399B and 1399C Post Street, also known as Post International, a Condominium Project, being a resubdivision of Lots 12, 14 and 21 in Assessor's Block 696; and adopting findings pursuant to San Francisco Redevelopment Agency Plan, and adopting findings of conformity with the Master Plan. (Department of Public Works)

File 58-93-20

(August 23, 1993 - Introduced in Board for consideration on August 30, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Shelley - 7.

Absent: Supervisors Hsieh, Leal, Maher, Migden - 4.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the measure title is not printed on the agenda) and (b) a vote to adopt the measure. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed from Immediate Adoption Calendar

At the request of Supervisor Kaufman, the following measure was severed from the Immediate Adoption Calendar and considered separately.

Tabled

[Opponent's rebuttal argument against Proposition L]

Motion directing the City Attorney to seek court intervention to require the Registrar of Voters to reject the opponent's rebuttal argument on Proposition L. (Supervisor Kaufman)

File 248-93-4

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Shelley - 7.

Absent: Supervisors Hsieh, Leal, Maher, Migden - 4.

The Board thereupon resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-35, Resolution No. 686-93

(Annemarie Conroy, member, Board of Supervisors, September 7; Margel Kaufman, member, Health Commission, August 19-24; John L. Molinari, President, Parking and Traffic Commission, November 25-28; Jane Morrison, Vice President, Social Services Commission, August 17-23; Harry S. Parker, III, Director Fine Arts Museums, September 17-19; Louise H. Renne, City Attorney, August 26-September 5; Barbara Rosenberg, member, Public Library Commission, September 1-6, 1993.)

Adopted.

[Correction of Rebuttal Charter Amendment]
Motion authorizing correction to rebuttal to opponent's ballot argument against Proposition L, a charter amendment, relating to creation of Human Resources Department. (Supervisor Kaufman)

File 248-93-3.1

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Proclamation]
Resolution designating Labor Day, September 6, 1993 as "Try American Day".

File 4-93-23, Resolution No. 688-93

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Proclamation]
Resolution proclaiming the week of September 20-24, 1993 as Beat the Back-up Week.

File 4-93-25, Resolution No. 689-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Commendation]
Resolution commending and honoring Dr. Raymond J. Baxter for his distinguished service as Director of Public Health for the City and County of San Francisco.

File 6-93-22, Resolution No. 687-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]
Resolution authorizing temporary closing of Norfolk Alley, between Harrison and Folsom Streets, on any one day between August 30, 1993 and September 10, 1993, for filming.

File 42-93-38, Resolution No. 690-93

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Shelley - 7.

Absent: Supervisors Hsieh, Leal, Maher, Migden - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]
Ordinance rescinding and appropriating $462,687, Public Health Services, Community Public Health Services, for permanent salaries, miscellaneous and related fringe benefits for the deletion and creation of seven positions. (Supervisor Kaufman presented.) Referred to Budget Committee with request it be considered at the September 7, 1993 special meeting.

File 101-93-6

[Smoking Prohibition]
Ordinance amending Health Code by adding Sections 1009.5 through 1009.8 to prohibit smoking in places of employment and certain publicly owned sports areas. (Supervisors Alioto, Bierman, Leal presented.) Referred to Health, Public Safety and Environment Committee with request it be considered at the September 8, 1993 special meeting.

File 118-93-8

Referred to Board

[Proclamation]
Resolution commending the American Banner of Hope Project and urging the Mayor to proclaim September 11, 1993 American Banner of Hope Day in San Francisco. (Supervisor Alioto presented.) Referred to Board September 7, 1993 For Adoption Without Committee Reference Calendar.

File 4-93-24

Referred to Committee

[Stalking]
Resolution urging State Legislature to stiffen penalties on violations of Penal Code Section 646.9 (stalking), to change the definition of stalking to eliminate element of fear of immediate death or great bodily injury, to enhance penalties for repeat offenses and to require notice to intended victims upon release of stalker. (Supervisor Alioto presented.) Referred to Rules Committee.

File 12-93-27

[Ballot Measure]
Resolution opposing State Ballot measure, Proposition 174, the School Voucher Initiative. (Supervisors Shelley, Alioto, Kaufman, Kennedy presented.) Referred to Board September 7, 1993 For Adoption Without Committee Reference Calendar.

File 60-93-11

[Hold Harmless Provision]
Resolution approving a hold harmless provision for the Very Small Quantity Generator Hazardous Waste Pilot Collection Program jointly operated by Sanitary Fill Company and the Chief Administrative Officer. (Supervisor Hallinan presented.) Referred to Government Efficiency and Labor Committee.

File 172-93-31

Requests for Hearings:

File 30-93-14, By Supervisors Hallinan, Bierman: To consider the waiting period for filling prescriptions at the Outpatient Pharmacy at San Francisco General Hospital. Referred to Health, Public Safety and Environment Committee.

File 32-93-5, By Supervisor Hallinan: To consider further implementation of franchise agreement with Viacom Cable by adoption of standards of acceptability for local leased access channel programming. Referred to Government Efficiency and Labor Committee.

File 173-93-1, By Supervisors Hsieh, Alioto, Conroy, Bierman, Shelley: To consider funding for the structural repair of the Marina Seawall. Referred to Budget Committee with request it be considered at the September 8, 1993 meeting.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-93-59. [Settlement of Lawsuit] Authorizing settlement of litigation of Elias Tsiknis against the City and County of San Francisco by payment of $7,000. (City Attorney) Government Efficiency and Labor

File 45-93-60. [Settlement of Litigation] Approving the settlement of litigation of Resolution Trust Corporation, as Receiver for Gateway Federal Savings Bank, in the sum of $21,378.00 (consisting of $17,033.00 in tax refunds and $4,345.00 in interest) to be paid in ten equal annual installments at seven percent per annum in interest over the ten-year period. (City Attorney) Government Efficiency and Labor

File 45-93-61. [Settlement of Litigation] Approving the settlement of litigation of Resolution Trust Corporation, as Receiver for Atlantic Financial Savings Bank, in the sum of $197,959.48 (consisting of $181,429.33 in tax refunds and $16,530.04 in interest) to be paid in ten equal annual installments at seven percent per annum in interest over the ten-year period. (City Attorney) Government Efficiency and Labor

File 45-93-62. [Settlement of Litigation] Approving the settlement of litigation of Resolution Trust Corporation, as Receiver for Time Federal Savings and Loan Association, in the sum of $120,158.71 (consisting of $94,716.82 in tax refunds and $25,441.89 in interest) to be paid in ten equal annual installments at seven percent per annum in interest over the ten-year period. (City Attorney) Government Efficiency and Labor

File 45-93-63. [Settlement of Litigation] Approving the settlement of litigation of Resolution Trust Corporation, as Receiver for Imperial Federal Savings Association, in the sum of $666,190.42 (consisting of $532,388.93 in tax refunds and $133,801.49 in interest) to be paid in ten equal annual installments at seven percent per annum in interest over the ten-year period. (City Attorney) Government Efficiency and Labor

File 45-93-64. [Settlement of Litigation] Approving the settlement of litigation of Resolution Trust Corporation, as Receiver for Pacific Coast Federal Savings Association, in the sum of $131,795.31 (consisting of $92,872.07 in tax refunds and $38,923.24 in interest) to be paid in ten equal annual installments at seven percent per annum in interest over the ten-year period. (City Attorney) Government Efficiency and Labor

File 52-93-1. [Underground District] Amending Ordinance No. 367-92 to redefine Underground District No. 318 in the Dolores Heights District by adding certain property thereto; companion measure to File 52-93-1.1. (Also see Files 52-92-6 and 52-92-6.1. (Department of Public Works) Health, Public Safety and Environment

File 74-93-1. [Tax Rate Setting] Providing revenue and levying taxes for City and County purposes for the Fiscal Year ending June 30, 1994. (Controller) Budget

File 74-93-2. [Tax Rate Setting] Providing revenue and levying taxes for San Francisco Unified School District purposes for the Fiscal Year ending June 30, 1994. (Controller) Budget

File 74-93-3. [Tax Rate Setting] Providing revenue and levying taxes for San Francisco Community College District purposes for the Fiscal Year ending June 30, 1994. (Controller) Budget

File 97-93-47. [Cash Revolving Fund - Commission on the Status of Women] Amending Administrative Code by adding Section 10.169-11, establishing a cash revolving fund for the Commission on the Status of Women in the amount of $500.00. (Commission on the Status of Women) Budget

File 101-93-2.2. [Government Funding] Amending the Annual Appropriation Ordinance, 1993-94, File 101-93-2, Ordinance No. 241-93, giving effect to revenue changes pursuant to Charter Section 6.208 and adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 6.400, and adjusting appropriations to meet the requirements of the Airport, as a pre-requisite to levy a tax pursuant to Charter Section 6.208. (Controller) Budget

File 102-93-4. [Public Employment] Amending Annual Salary Ordinance, 1993-94, Department of Public Health, reflecting the addition of seven new positions and the deletion of seven positions (Classification AA57 Health Center Manager, and deletion of seven positions Classification 1372 Special Assistant XIII); companion measure to File 101-93-6. (Civil Service Commission) Budget

File 121-93-14. [Loitering at or Near Cash Dispensing Machines] Amending the Police Code by adding Section 261, thereto prohibiting persons from loitering at or near cash dispensing machines. (Police Commission) Health, Public Safety and Environment

Resolutions Referred to Committee

File 27-93-17. [Airport-Rates and Charges] Making a finding that the schedule of rates and charges for common use facilities established by the Airports Commission effective July 1, 1993 will be sufficient to pay for maintenance and operation expenses of the Airport and will not require any tax subsidy; companion measure to File 27-93-17.1. (Airports Commission) Budget

File 27-93-17.1 [Airport-Rates and Charges] Approving changes to the schedule of rates and charges for common use facilities at San Francisco International Airport as established by Airports Commission; companion measure to File 27-93-17. (Airports Commission) Budget

File 48-93-22. [Settlement of Unlitigated Claim] Authorizing settlement of unlitigated claim of Pan American Savings Bank in the sum of $53,310.39 (consisting of $43,295.70 in tax refunds and $10,014.69 in interest) to be paid in four equal annual installments. (City Attorney) Government Efficiency and Labor

File 48-93-23. [Settlement of Unlitigated Claim] Authorizing settlement of unlitigated claim of Citibank, N.A. in the sum of $206,866.45 (consisting of $148,497.59 in tax refunds and $58,368.86 in interest) to be paid in four equal annual installments. (City Attorney) Government Efficiency and Labor

File 52-93-1.1. [Lighting Assessment District] Amending Resolution No. 1020-92 to redefine proposed Assessment District No. 92-2 in the Dolores Heights District by adding certain property thereto; and to designate the Deputy Director of Public Services as engineer for the formation proceedings; companion measure to File 52-93-1. (Also see Files 52-92-6 and 52-92-6.1. (Department of Public Works) Health, Public Safety and Environment

File 94-93-6. [Grant - Regional Funds] Authorizing the Public Utilities Commission to apply for and accept $2.8 million of Bridge Toll Funds for SFMRIC lease payments and $53.6 million of Regional and Federal funds such as Federal Transit Administration Section 8 and Section 9 Operating Revenues, Transportation Development Act (TDA), State Transit Assistance (STA), AB 1107 Half Cent Sales Tax, and Bay Area Rapid Transit District funds for 1993-94 Municipal Railway Operations and authorizing the expenditure of the Section 8 Planning funds. (Public Utilities Commission) Government Efficiency and Labor

File 172-93-38. [Sewage Treatment Works Construction Financing] Finding and determining that the Richmond Transport Project will protect and preserve the environment and that the use of loan funds is the most cost-effective method of financing the project; authorizing the application for the execution of loan agreements not to exceed approximately $55 million. (Chief Administrative Officer) Budget

File 172-93-39. [State Contract] Authorizing the Director of Public Health to indemnify the State Department of Transportation with respect to an agreement for the purchase of a wheelchair accessible vehicle. (Also see File 146-92-32, Resolution No. 419-92). (Department of Public Health) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kaufman, that letter be sent to Chief Administrative Officer concerning July 19, 1993 request for status of six month report on the functions and successes of the new County Veterans Service Officer pursuant to Administrative Code Section 5.108.A-2(d), which has not been received and is now two months past due.

By Supervisor Kennedy, that letter of inquiry be sent to Director, Department of Parking and Traffic to determine the number of management positions within the department and the justification for each positions.

By Supervisor Kennedy, that letters be sent to General Manager, Public Utilities and Municipal Railway, concerning report that employee's personal information, such as social security number, full name, birthdate and address are easily accessible to others which can be used for fraudulent purposes and inquires what precautions and security of employees' personal information have been implemented to prevent this information from being easily available.

By Supervisor Kennedy, that letters be sent to his Honor, the Mayor, and Chief of Police concerning an inquiry whether it is feasible to have foot patrols along Dolores Park path that runs adjacent to Church Street to help deter crime in this area.

By Supervisor Kennedy, that City Attorney review Draft Constitutional Amendments Regarding Mandate Relief (Article XIIIB) and Revenue Retention (Article XIIIC) and Related Materials and advise whether it is feasible for the City and County of San Francisco to join in the request.

By Supervisor Shelley, that letter be sent to his Honor, the Mayor, requesting an outline on how he would intend to spend the $22 million in additional revenue, should either State Proposition 172 or local measure, Proposition C, should be approved.

By Supervisors Hallinan, Bierman, Shelley, that letter of inquiry be sent to Director, Commission on the Aging, concerning the Senior Information and Referral Program, to determine the status of the budget and the position of Director of Senior Information and Referral Program.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Angelo Beschetto (Supervisor Alioto)
Victoria Hayden (Supervisor Migden)
Tsuyoshi Nakashima (Supervisor Bierman)

File 2-93-35

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:31 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on January 18, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors